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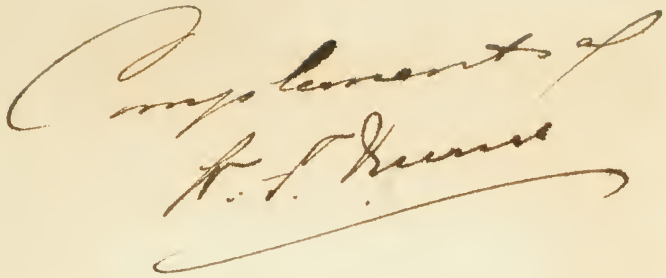

CAPTAIN OTWAY BURNS

Captain Otway Burns

Patriot, Privateer and Legislator

Arma virumque cano.—
Vergil.

COLLECTED AND COMPILED
BY
WALTER FRANCIS BURNS

NEW YORK
1905

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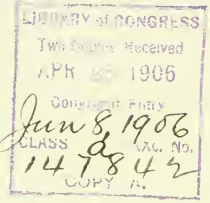

TO THE MEMORY OF

AMERICA'S NAVAL HEROES

WITH FEELINGS OF THE DEEPEST ADMIRATION FOR
THEIR ACTS OF SPLENDID DARING FOR THE
HONOR OF OUR COUNTRY THIS WORK
IS RESPECTFULLY DEDICATED

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WALTER FRANCIS BURNS

INTRODUCTION.

A careful and sustained search for written and traditional records of those who shared in the national defence in 1812 has revealed a lamentable dearth of authentic information both in official and private circles. America has been prodigal of her heroes. Contemporaneous foreign history shows a wealth of smallest details in their perfected systems of War Office Records. But America was in her infancy; a struggle for even the form of the constitution itself was raging while the war of 1812 was being waged. Such official records as were kept were despoiled by the British invasion of Washington. The vast extent of the country and the rapidly shifting scenes of action also contributed much to the difficulty of accurately recording events. But above all the fact that so many who acquitted themselves most bravely in this struggle retired to their home-life, and, Cincinnatus-like,

took up the arts of peace with the happy reflection of duty performed has made the historian's work a most discouraging and difficult task.

The writer was actuated by family interest in gathering information of his immediate ancestry; but as the work went on with increasing difficulty, as he soon found himself involved in a tangle of historical detail, and confronted by a mass of imperfect and contradictory local traditions, he was impelled to place the result of his pains-taking investigation in a permanent form. It is sincerely to be hoped that others may be prompted to perpetuate the memory of those who have contributed to the making of a nation and that there may be evolved from the chaos of the past a lasting memorial to the actors in the great drama.

Especial thanks are due to those who have rendered material assistance in gathering and verifying information and for the interest that they have displayed in the subject. The writer feels under great obligations to many who have entered upon the work of collecting facts in the life and doings of Captain Otway Burns and who were actuated solely by pride in the career of an illustrious North Carolinian.

Foremost among these is the Honorable Chief Justice Walter Clark, of the Supreme Court of North Carolina, who in a letter to the writer says: "You have done great service to the state of North Carolina in having the useful and honorable career of your grandfather traced out and put upon record. This state is too prone to neglect to record the fame of her sons who have served her well. In neglecting their fame she has neglected her own."

Kemp Plummer Battle, LL. D., Alumni Professor of History in the University of North Carolina, has been indefatigable in the research work upon this local, as well as national, historical subject, and has brought to bear upon the work his sixth, or "historical sense" with which he is so eminently endowed.

Mr. Romulus A. Nunn, of Newbern, N. C., has proven a most competent and tireless ally, not only in the efficient discharge of the onerous duties of chairmanship of committees, but in the tedious and exacting work of investigation and proof of details. Not a portion of his work left his hands until he was positive of its full authenticity.

The writer gratefully acknowledges the many courtesies and the willing assistance of all who have contributed to the success of this undertaking.

WALTER FRANCIS BURNS.

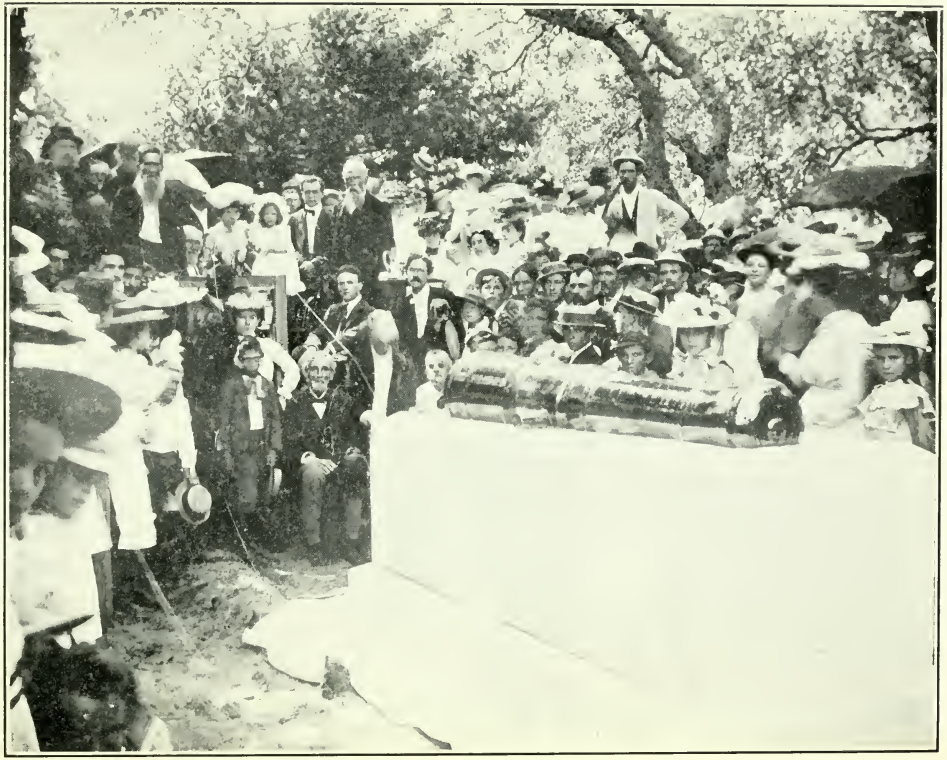
New York City, 1905.

CAPTAIN OTWAY BURNS.

The deeds and character of Captain Otway Burns are most eloquently and graphically described in the scholarly and graceful orations which are reproduced in their integrity. There is, of course, some repetition in the statement of facts; but the use of the collected material by two men of such eminent attainments serves to show the workings of two trained minds upon the same material. The deductions, inferences, and mental processes of a trained jurist and of a keen historian acting upon the same premises form a study of interesting psychological importance. Mutilation for convenience or for practical purposes would under these circumstances be unpardonable.

The oration of the Honorable Chief Justice Walter Clark was delivered at Beaufort, N. C., in July, 1901, on the occasion of the unveiling of a monument erected to the memory of Captain Otway Burns by his descendants. It was vastly to the

honor of the state that a ceremony which might easily have been regarded as a family commemoration was, by the numbers and the eminence of those who participated in it from all parts of the state, transformed into a tribute from North Carolina to the memory of one whom her people were glad to honor.



UNVEILING CEREMONY AT TOMB OF CAPTAIN OTWAY BURNS

PROGRAM

of the

Ceremonial Exercises

at the Unveiling of the Monument

erected to the memory of

CAPTAIN OTWAY BURNS

BY HIS DESCENDANTS

BEAUFORT, N. C.

July 24, 1901.

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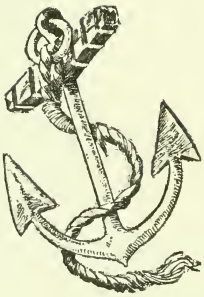
1. SONG..... *"America."*
2. PRAYER.....*Rev. Thomas P. Noe.*
3. SONG..... *"Columbia."*
4. INTRODUCTION OF ORATOR

   Charles L. Abernathy, Esq.
5. ORATION.....*Hon. Chief Justice Walter Clark.*
6. UNVEILING...*Miss Theodora Waltona Wilkens.*
7. SALUTE.....*Newbern Naval Reserves.*
8. BENEDICTION.....*Rev. Mr. Hornaday.*



ORATION BY CHIEF JUSTICE WALTER CLARK.

Ladies and Gentlemen:

We have met to do honor to the memory of one whose life reflected honor on this city and county, and on his state and country as well,—one of those brave sailors and soldiers,who in our second war with Great Britain, maintained the honor of his country upon the open seas and carried the starry flag of the Union of our fathers to distant latitudes. We rarely hear of him now; but when the past century was entering upon its 'teens, fame had no greater favorite in these parts than the brave sailor and soldier, Captain Otway Burns. Both of these names "Otway" and "Burns" are borne to this day by many of your citizens as Christian names. No surer proof could be had of the respect, admiration, and affection inspired by the original bearer of these names among the masses of his countrymen.

The destructive process of the years is strikingly shown by the small mass of authentic material left out of which to construct a narrative of the life of one whose smallest actions were once on every lip. One by one those cognisant of his deeds of daring and courage have passed away. With true North Carolina indifference his deeds were rarely committed to paper and hence it is now perhaps impossible with the utmost diligence to compile a narrative of the career of Captain Burns which is worthy of him or to give it that interest which would attach to a complete and accurate statement of the stirring events in which he shared.

And first I may be pardoned for a word as to the historic interest attaching to the city and county which are most intimately associated with his fame and which hold his ashes and the monument which we are about to unveil to his memory today.

It was your shores which were first espied by Amidas and Barlow, July 4, 1584,—three hundred and seventeen years ago, in the first exploring expedition sent out by England to this continent. They proceeded farther up the coast and entered one of the inlets above us, probably Ocracoke. The next year, 1585, the first English settlement was

made at Roanoke Island over thirty-five years before the landing of the Pilgrims at Plymouth, and twenty-two years before the settlement of Jamestown, which was in reality a continuation of the one at Roanoke Island, the more commodious one at James River being selected as a substitute for the rather inaccessible one at Roanoke.

But aside from that, eight centuries and a half of English history are inextricably interwoven in the very names of your country and city. On the shores of France, where the loud waves of the British Channel lash the shores, there lies the town or village of Carteret. From thence came the name of your historic county. As the steamer speeds from St. Malo in France to Southampton, the passenger standing on deck sees to the right, on a tall cliff, the little village of Carteret, containing only some 500 inhabitants today. Its aspect faces the setting sun, for at that point the French coast runs for many miles nearly north and south. Looking further down the coast to the right, near the verge of the horizon, is the smoke of a larger town, of some 10,000 or 12,000 people which for near 1,000 years has borne the name of Granville. Still further south, about 100 miles as the crow flies, down in the heart of that pleasant land of France in the

beautiful valley of the Loire, between two swift rolling streams, lies the town of Beaufort. From thence comes the name of this second Beaufort, this fair town which lies around us,—a town whose importance is beginning and whose fame and whose limits will grow with the years that are to come.

How happens it that this country and this city founded and peopled by the English speaking people should revive and continue the names of French towns? Many present doubtless know, but they will pardon me if I relate the story to those who do not. In the year of our Lord one thousand and sixty six, William, of Normandy, ruler of the province of France which borders on the English Channel, took steps to add the Kingdom of England to his property,—for so they regarded dukedoms and kingdoms in those days, when the ownership of the people went with the ownership of the soil. He gathered himself a brave array of gallant soldiers, good knights, needy adventurers, and everyone who was willing to fight for love of leader, love of adventure, or love of plunder. To him, among others, came the owner of the village of Carteret, with his retainers whom he probably made a captain, and the lord of Granville, who was doubtless a colonel

or general. At Hastings, William conquered and the English land was parcelled out to his adherents. Carteret and Granville fared well in England. During the succeeding centuries their names were prominent in English history. Reginald de Carteret and his seven sons were all made knights in one day by Edward III for having held possession of the island of Jersey against Bertrand de Guesclin and the French. When England became a republic under Cromwell, Sir George Carteret went into exile with Charles II. On the restoration of that monarch, he rewarded this devotion by giving to Carteret and seven others the broad domain reaching from the Virginia line down to Florida and from the Atlantic clear across to the Pacific, under the style of the Lords Proprietors. The colonists dutifully named one of their precincts Carteret. Sir George Carteret's grandson (whom Colonel Wheeler in his history has confounded with his grandfather) was created first Baron Carteret and married the heiress of the Granvilles. He died very young and his son, John, Baron Carteret and Earl Granville, was not only a Lord Proprietor but a member of the British Cabinet and Lord Lieutenant of Ireland. Walpole says he was one of the five greatest men he had ever known. When the other Lords Proprietors

sold out, he retained his one-eighth ownership and had it laid off next to the Virginia line which was his northern boundary. Portions of his southern border you can see to this day in the long straight line in the middle of your state which marks on the map the southern boundary of Chatham, Randolph, Davidson, Rowan, and Iredell. All between that straight line, extended east to the Atlantic and west to the Pacific, up to the Virginia line (extended in like manner to both oceans),—a tract nearly seventy miles broad and extending from ocean to ocean—he retained in fee simple. No wonder when counties were first created in this province in 1729 one of them was named Carteret and that a little later, 1746, when another great county was created, it was called Granville. It was his own land, a part of his own farm. When the American Revolution ended in our independence he claimed that under the terms of the treaty of peace his right to the ownership of that vast territory was protected and he had a good show of right, as the treaty is worded. He began suit in the United States Court. How and why he failed is another story.

But how about Beaufort? Well, the English kings, descendants of William, returned the Norman invasion by themselves becoming conquerors of the

greater part of France. One of the sons of Edward III, John of Guant, "time honored Lancaster", acquired among other scraps of property in the conquered country this town of Beaufort which he gave to some of his illegitimate children, one of whom was the great Cardinal Beaufort who conducted the English King Henry VI, to be crowned at Paris as King of France and who presided at the trial and conviction of Joan of Arc. He it was, when dying, whom Shakespeare makes offer to the approaching specter of death.

"If thou be'est death, I'll give thee England's treasure,
Enough to purchase such another island,
So thou wilt let me live and feel no pain."

And it is to him the king said:

"Lord Cardinal, if thou thinkest on heaven's bliss,
Hold up thy hand, make signal of thy hope.
He dies and makes no sign; O, God, forgive him."
Warwick. "So bad a death argues a monstrous life."
King Henry. "Forbear to judge, for we are sinners all—
Close up his eyes, and draw the curtain close,
And let us to meditation."

From a brother of that Cardinal Beaufort was descended the Duke of Beaufort who was one of the eight Lords Proprietors. The name of whose duchy was bestowed upon your city, and from him also is descended the present duke who sits as a

hereditary senator in the British Parliament and through the female line he also numbers among his descendants the present King of England.

Nor does your historic connection with France terminate here, for this province was originally named Carolena in honor of Charles IX of France who is damned to all time and eternity as the author of the Massacre of St. Bartholomew, and it was rechristened Carolina when granted to the Lords Proprietors by Charles II of England,—himself of very indifferent fame.

For this digression, showing to some extent how history is interwoven in the very warp and woof of the names of your county and city I trust that in an address upon an historic subject I may be pardoned both by those who remember these facts and by those who, perchance, may have forgotten them.

Now to this historic scene came Otway Burns to add by his deeds to the interest which shall always linger around the historic names of Beaufort and Carteret.

Otway Burns was born in the county of Onslow, named in honor of the famous Speaker Onslow afterwards Lord Onslow. He was born on Queen's Creek, two miles from Swannsboro in the year

1775. His father, also named Otway Burns, was born at the same place. The father of the latter, Francis Burns, settled in North Carolina in 1734, coming from Glasgow, Scotland. As Glasgow is not far from Ayreshire he may well have been of the same family as the great poet who has made the name of Burns a household word wherever the English tongue is spoken or wherever the accents of freedom can move the hearts of men.

Francis Burns lived to a good old age, his will probated in 1793, nearly sixty years after his arrival in this country, is still to be seen upon the records of Onslow County. It shows that he was a man of considerable wealth for those days. He names as his legatees his grandsons Otway Burns and Francis, his brother, and also other grandchildren through his daughters who have married into the Spooner, Smith, and Davis families. It is thus probable that the relatives of Captain Otway Burns are numerous in Onslow and adjoining counties though he himself left only one son, whose descendants, though not numerous, are widely scattered from Amsterdam to Australia, but none of them live in this state.

Before the war of 1812, Captain Otway Burns had attained the command of a merchantman which sailed from Newbern, N. C., to Portland, Maine, He was on one of these voyages when the smouldering troubles with Great Britain came to a crisis by the declaration of war in June, 1812. On this arrival at Portland he learned the news and found that peaceable commerce was at an end. He took his vessel to New York and bought a larger and swifter one, previously named the "Levere." He altered this into a vessel of war, armed and equipped her, changing her name to the "Snap-Dragon" which was destined for three years to be a name of ill-omen and terror to the enemy. Taking her to Newbern, books of subscription were opened to the capital stock which was necessary to be raised to pay for the purchase and equipment of the vessel and for the defrayal of her expenses. Among the owners were John Shepard, grandfather of Judge Henry R. Bryan, James McKinley, John Harvey and other leading men of that day, whose descendants are still prominent in business and social circles.

In recent years there has been an effort in high financial circles to discredit privateering. This is because that element thinks that war should be con-

fined to injury to the persons, or destruction of the lives, of the sailors or soldiers (who usually have the least interest in the war) but that their property should be held sacred and exempt. But privateering, which is simply a volunteer navy, dependent upon its own enterprises and courage for pay, has always been the resort of a weak nation against a superior sea-power. It was the right arm of this country upon the sea in both our wars with Great Britain and was resorted to by the Southern Confederacy in our late Civil War.

The legality of privateering is expressly recognized in the constitution of the United States, Art. 1, Sec. 8, Clause 11, which empowers Congress to issue "Letters of Marque and Reprisal." Under the influence of those largely interested in shipping, the merchants of the great sea-ports, many European nations agreed to a provision in the Treaty of Paris, 1856, prohibiting privateers, but the United States did not assent to it. The experience of the United States and of the Confederate States as well has been that the surest way to inculcate a desire for peace in that influential element of the enemy is for our privateers to lay rude hands upon their floating wealth. Shooting at the enemy's soldiers and sailors had no such salutary effect.

During the first six months of the war of 1812 our privateers captured 500 merchantmen and several thousand prisoners.

It is proper to add that privateers are only commissioned upon a petition setting forth all the particulars required by government. If after investigation letters are issued, the owners of the privateer give bond for the observance of all the regulations prescribed by law, one of which is that on the return from each voyage a journal giving each day's proceedings, with name and value of each capture verified by the commanding officer shall be filed with the government. No capture is turned over until the ownership of the vessel and the legality of the capture is adjudged by a court of admiralty.

It was probably required that application for letters of Marque and Reprisal should be renewed before each voyage for we have a copy of the application made by Captain Burns on July 1, 1813. In that he specifies that the vessel is of 147 tons burthen, named "Snap-Dragon", number of crew 75, armament 5 carriage guns, 50 muskets and 4 blunderbusses, Captain, Otway Burns; First Lieutenant, James Brown. In one of his subsequent voyages he had a crew of 127 men with De-

Cokely First Lieutenant, and in the only one of which we have a full copy of certified journal, January-April, 1814, he had a crew of 99 men.

The journals of all his cruises giving his daily doings with lists of officers and men were, of course, filed at Washington as required by law. As after proper application only the one mentioned can be found it is probable they were destroyed with so many other archives when the British burnt the government buildings at Washington in 1814. To some extent however, we have information of the contents of the journals of two other cruises from articles written in the University Magazine in 1855 and 1856 by someone who had seen copies of these logs, presumably the late Governor Swain. Copies of the original journals, have been seen by parties still living, Dr. J. W. Saunders, of your county, Colonel John D. Whitford and possibly others.

From the synopsis of those given in the University Magazine the following is condensed. The "Snap-Dragon" was a Baltimore clipper and noted for her speed. Her armament was two guns (12 pounders) on each side and a pivot gun. She ranged from beyond Newfoundland, where on one occasion she tackled an iceberg, when her captain was out of a job, down to the northern coast of

South America near the Equator. She thus patrolled the whole ocean front, carrying terror to the enemy's commerce and defying his men-of-war, and when they were not too big she tackled them too, on one occasion as we shall see defeating one of 22 guns. Like the Alabama in our late war she sometimes placed prize crews on captured vessels and sent them into ports and when that was not feasible she relieved them of the most valuable portion of the cargo and burnt the vessel.

While the log of the cruise in the spring of 1814 alone is complete, it is on record that in the first seven months, Captain Burns in the "Snap-Dragon" captured two barks, five brigs, and three schooners with cargoes valued at one million dollars and 250 prisoners. As this was not calculated to dampen his energy, we may make some calculation of the damage he did to British commerce in the nearly three years before the "Snap-Dragon" met her fate, and estimate the size of the sentiment for peace with Captain Burns built up in the influential ship-owning classes in British ports who had no liking for war which was made at their expense. As long as sailors and soldiers shot each other they may not have been much concerned, but when their

bales of merchandise and their vessels were sacrificed they clamored for the war to stop.

Among many incidents it is recorded that Captain Burns of the "Snap-Dragon" and Captain Almida of the "Kemp" having made some joint captures proceeded to make a division in port, when the fiery Burns disapproving of the division challenged Almida to fight it out at sea. They put to sea for that purpose, but happening upon some of the enemy's merchant vessels each took a new prize and very sensibly dropped the dispute.

On Captain Burns' first cruise his first adventure was to fall in with two British men-of-war, a frigate and a sloop. By the superior swiftness of his vessel he escaped but he was willing to fight and shortly falling in with a vessel of 14 guns he captured her, this being his first prize. His next experience was at the island of St. Thomas when he suddenly found himself all but surrounded by five British men-of-war, three to windward and two to leeward. To deceive them he hoisted Spanish colors but John Bull was too wide awake. He knew the cut of her jib and that a Baltimore clipper had no business floating Spanish colors. The "Garland" man-of-war fired a 32-pound shot at the

"Snap-Dragon" barely missing her and signalled the other man-of-war to close in. The latter soon had her top-hamper up and crowded all her sail. The only possibility of escape was through Sail-Rock passage, which was forty miles distant, and dead to windward and with three of the hostile vessels on that side. With the intuition and the prompt decision of a born sailor, Captain Burns saw that his only chance was to head his ship direct for the Rock, so it could not be seen which side of it he would pass. A course was so shaped that all the "Garland's" sails drew on one mast which gave the "Snap-Dragon" an advantage. When they approached the Rock the "Garland" made signals to her companions to cut off Burns' ship when she hauled in to choose her passage. They manoeuvered accordingly. Now came the rub. Captain Burns made all his men lie down and took the helm himself. The "Sophia" brig was nearest and as the "Snap-Dragon" came abreast discharged at her a broadside of grape and round shot. In the hurry to repeat the fire the "Sophia's" own bulwarks were shot away, in the delay the crisis was over, for in five minutes the "Snap-Dragon" had all five of the enemy on the wind and out of gunshot for she could "walk the waters

like a thing of life." When safely out of reach, Captain Burns ran up the American colors and defiantly fired a gun to tell them goodbye. Next day another man-of-war, the "Dominick" chased the "Snap-Dragon" but was too slow for her though the strong wind carried away the jib-boom and two top-mast stays of the latter.

After this Captain Burns cruised near the island of St. Croix and made several small captures.

One morning about forty miles from Tortola, one of the Virgin Islands, the "Nettler", man-of-war which had heard of the doings of the "Snap-Dragon" bore down rapidly under full press of canvas. "All hands to quarters" was given by Captain Burns. When within two miles, the "Nettler", seeing her arrival was awaited, suddenly taking in her light sails, hauled dead by the wind. The "Snap-Dragon" immediately dashed at her and the "Nettler" took to her heels. The race lasted from 7 A. M., to 6.30 P. M., the British vessel passing under the guns of the fort in the harbor of Tortola half a gunshot ahead. The fort is so situated that a vessel may pass by it one way and come out another. Later in the evening Burns passed the fort hoisting English colors and anchored abreast

of the town. That night he lowerd his boats which passed a battery which they had taken to be a flock of sheep but which were guns painted white, and quitely pulled up alongside the "Nettler", when a hail followed by a volley of musketry showed them that the enemy was ready. Instantly the town was in arms, and sky-rockets were traversing the heavens in all directions. Retreat was the only thing to do. The "Snap-Dragon" hoisted a light to guide them, whereupon the whole battery opened on her. Extinguishing the light, Burns returned the fire with his guns which served equally well to guide the retreat. By daylight he was twenty miles from the island, doubtless with meditations on the unprofitableness of "going for wool and coming back shorn."

The next day he captured an English vessel bound for Santa Cruz. She had on board some forty or fifty Guinea negroes and some mechandise. He took seventeen or eighteen and, not wishing to be troubled with the others, let the vessel go on her course.

Soon after, finding an English vessel in the harbor of Santa Cruz, he sent in a boat's crew and cut her out. Being loaded with lumber and the

vessel not very valuable, he burnt her. The "Snap-Dragon" then went into the neutral port of Ponce on the south side of Porto Rico to get water and stores and sell her captured goods, only enough to pay for supplies and the Spanish governor went so far as to sell him a very fine long 9-pounder gun.

Soon after, on the Spanish Main he chased an English packet but had to give it up by reason of one of those sudden gales which are frequent in those latitudes, and which nearly proved fatal to the "Snap-Dragon." Burns did not leave the deck the whole night. At daylight he placed one of his officers in charge and had just gone below when a shift of wind followed by a tremendous wave knocked the vessel on her beam ends in the trough of the sea, filling the waist with water and setting some of the guns adrift. Burns immediately got on deck, secured the guns, and wore the vessel around on another tack. The pumps showed three feet of water in the hold, and it took three hours to pump her out when it was discovered that the plank sheer had started for more that thirty feet. Fortunately the gale had abated and the ship was saved; but all admitted that but for Burns' seamanship and prompt decision the vessel would have gone to the bottom.

The "Snap-Dragon" then bore away to Maracaibo, in South America, to repair damages. The governor gave the requisite permission and invited the officers to dine with him. Learning that seven or eight sail of English vessels were close by, the "Snap-Dragon" sailed among them like a hawk among partridges capturing three and running one ashore. Some days afterwards, Captain Burns fell in with four large ships. He soon decided that one was a man-of-war disguised as a merchantman, but some of his officers, grumbling, Burns told them "he had as many friends in British prisons as they had and was just as willing as they were to pay them a visit and he now would show them that he was not deceived." So he sailed up nearer. To his first shot the concealed man-of-war replied by a broadside of grape and canister and, giving chase, nearly overhauled the "Snap-Dragon", but when officers and men were ready to pack their baggage for a trip to England, Captain Burns by most adroit seamanship evaded capture till night enabled him to escape. An English vessel from Curacoa captured by him a few days later gave the information that the ship from which he had so narrowly escaped was the "Fawn" sloop-of-war and that she

had gone into Curacoa with the report that she had sunk the Yankee privateer.

Having occasion to land some English prisoners, at their request at a port in Venezuela, the Spanish governor seized the boat and crew sent to put them ashore. Thereupon Captain Burns captured a felucca with one hundred men on board belonging to that port and threatened to hang the last one of them in two hours if his boat and crew were not sent back. This message being sent ashore, the missing boat and men were sent back to him with wonderful alacrity. Sailing towards Cartagena he came upon a Spanish brig of 12 guns and another of 8 guns in company with an English vessel. Burns captured the latter though the commander of the Spanish vessel threatened to fight. He went into port soon after, whereupon they got the captured vessel between themselves and the fort and forced the prize-master to surrender. The vessel was finally given up after the Spaniards had robbed it of everything they could lay their hands on. There were 15 or 20 English vessels in the harbor but they prevailed upon the Spanish commander of the fort, doubtless by bribery, to lay an embargo upon Burns for a week during which time they all got out of his reach.

In his journal interesting accounts are given of the people at the various ports in South America and in the West Indies where he went ashore. Off Cape Florida he engaged an English privateer of 10 guns. He killed several of her men and unshipped several of her long guns when she bore away and ran into the reefs.

Next he came upon what was thought to be an English ship from Havana, but heaving a shot ahead of her she rounded to showing herself a brig with 20 guns mounted. To the relief of some on board she proved to be Spanish. Captain Burns then headed for Beaufort Harbor. When near there he gave chase to a small vessel which soon, to Burns' great amusement pretended to be poling where he well knew there was seven fathoms of water. After giving them a good fright, Burns came up with the vessel which proved to be manned by some of his old acquaintances. This was off Swansboro and he got into Beaufort that evening after a voyage of six months, discharged the crew and put the vessel into the carpenter's hands for repairs.

In a short time the "Snap-Dragon" was ready for another cruise. Forty or fifty men came on from Norfolk where Burns had opened another

rendezvous. The agents of the owners wrote on to New York and got a First Lieutenant named Brown, who came highly recommended. He was a fine-looking man but a martinet and before Burns took charge had a part of the men in irons to "tame them" he said, and everything was topsy-turvy, but as soon as Burns took command he had the men discharged from confinement and "tamed" the lieutenant. He set sail from Beaufort with a crew of 127 fine men. Hearing that the British vessel "Highflyer" was waiting on him off the coast he went to find her, but the vessel was the American privateer "Raleigh" of Baltimore. Captain Burns then laid his course for Newfoundland. Off the Grand Bank he overhauled a large vessel which showed the American colors. Burns had his doubts, so he sent an officer aboard in British uniform who looked at the captain's papers and told him that he must send his ship as a prize to Halifax. Thereupon the captain told him that in fact he was British himself and showed the ship's genuine papers the American ones having been forged. He simply gave himself away.

Some days later Captain Burns made three sail off Cape Race. After a short action a brig and a ship struck their colors but the third, a fine brig

of 10 guns, tried to escape. After a seven hour's chase she struck without firing a gun. It was a fine brig and the cargo was invoiced at $400,000. A prize-master and crew were put aboard, but a fortnight afterwards he bore down ten miles to speak a supposed American frigate which proved to be English. By this bad management the prize was recaptured and the prize crew in her sent to Dartmoor prison.

A few days after the "Snap-Dragon" took two brigs and a schooner.

The next day thereafter she engaged a well-manned brig of 12 guns. Soon the horizon was full of vessels attracted by the firing. An English frigate under full said bore down, whereupon Burns moved away. He soon left his pursuer out of sight and ran into an outward bound fleet of about forty sail from St. John's to England, which were under the frigate's convoy. Boarding seven or eight of them he found that they were all laden with lumber and let them go untouched, as he disapproved of the wanton destruction of property, though he could have burned half of them before the frigate could have come up. Off St. John's he next captured a valuable prize loaded with dry-goods and started

her for home under a prize crew but she was recaptured in a few days.

Next day he met a 10 gun brig. Coming up on her lee quarter he ordered her to cease firing and strike her colors which was immediately done. Her cargo was invoiced at $350,000. A prize crew was put into her and she was started for home even while the "Rifleman" sloop-of-arms was bearing down under full canvas to give chase. Finding that he was going to lose both the "Snap-Dragon" and the prize, the "Rifleman" turned to recapture the prize; whereupon Burns turned and became chaser. Then the "Rifleman" turned to chase Burns. As his guns were 18-pound carronades and Burns' long pivot gun was only a 12-pounder the enemy had the advantage but night coming on the "Rifleman" lost both vessels. However some liquor had been left in the prize and the master and crew getting drunk she was recaptured 20 days later between Bermuda and Cape Henry.

Captain Burns' strict orders to all prize masters was to run South and East of Bermuda, for from there to Cape Henry was a line of British cruisers the whole war and it was impossible to get into Ocracoke or Beaufort by any other method. Every

master that disobeyed him was taken to Dartmoor and remained until the peace. Several masters and sailors died at Dartmoor which was an English stockade containing many thousand of French and other prisoners, in short it was the Elmira or Point Lookout of that day. Captain Burns in his journal says the he was cursed with a miserable set of prize masters whose incompetence, drunkenness, or disobedience caused the recapture of many prizes which he had taken.

Off the Grand Bank the "Snap-Dragon" again came near foundering and was again saved only by the admirable seamanship of her commander. One of Captain Burns' maxims was that if a vessel could scud nine miles an hour, no sea could board her. Abreast of St. John's several coasters were captured but allowed to go on their way as their cargoes were only lumber. One morning a schooner was described with no guns visible, but the Captain (Fox) who had been taken in the last brig warned Captain Burns (to whom he had taken a liking) that it was the man-of-war "Adonis" of 14 guns. About 200 yards distance her commander became frightened lest he should be boarded opened his ports and gave a broadside of grape and can-

ister. This was returned with good-will and a sharp conflict ensued, 5 guns against 14. In the very height of it, Burns' new lieutenant, Brown, who had been sent to him from New York quit his station and ran to tell Burns he would be taken in five minutes. Burns broke his speaking-trumpet over his head and ordered him back to his post. The "Snap-Dragon" sailed around the "Adonis" as the log says "like a cooper hammering a cask" but finally both parties hauled off, only four men being wounded on the "Snap-Dragon". It was afterwards learned that 3 were killed and 5 wounded on the "Adonis". Burns promptly broke Brown for cowardice and sent him to the forecastle among the men, and made DeCokely first lientenant. A few hours later a brig of 8 guns was chased and captured without firing a shot.

Next day off Cape Francis, Burns fell in with a fleet of English Fisherman, ninety sail of from forty to one hundred tons each. Burns hoisted English colors and exchanged rum with them for fish. One old fellow came aboard and, being invited into the cabin, said: "This does not look like one of our English vessels, but we do not care so she does not trouble us." The "Snap-Dragon" stayed with them all day and caught some 500 or 600 fish.

Burns sent the captain of marines and 25 men ashore to a little fishing town where they passed for Englishmen and were politely treated. Just as the men were coming back a sail hove in sight and Burns fearing she was a cruiser stood off. He afterwards learned that she was from Bordeaux for Baltimore laden with silks, wines, and brandies.

Next he "cruised as far north as 55 degrees, 30 minutes which is close to Cape Farewell in Greenland. Discovered some large islands of ice being icebergs that had grounded. On top of one of them was a pond of rain-water. This water being pure, the crew fell to and filled forty casks."

The writer in the University Magazine says that there was here an interruption in the copy of the log before him and that where it resumes it gives an account of the "Snap-Dragon" being chased, and throwing overboard $150,000 worth of goods; but soon after the "Snap-Dragon" captured 10 brigs and schooners of which a list is given. One of these was made a cartel and 98 prisoners placed in her upon signing a pledge of honor not to bear arms against the United States until exchanged. This as done June 24, 1813, long. 53 W. lat. 46 north, which is off Newfoundland and here followed the names of the 98 signers of the parole.

The "Snap-Dragon" started for home with one of her prizes. A cruiser coming up, Burns boldly made for it and it withdrew. He did not pursue, as all he wanted to do was to protect his prize. Being nearly out of provisions and water he had to leave the prize, which, however, got into Beaufort ten days after the "Snap-Dragon" arrived, which his journal says he did "after a cruise of two months, twenty-one days, in which he had captured one and a half millions property from the enemy."

One of the supercargoes Burns had taken was a very gentlemanly man. He claimed four cases of goods worth $4,000 as his private property. Burns gave them up to him and also gave him $,1,000 out of his own pocket to carry him back to St. John's where he belonged. Another of like character, one Campbell, was very useful in the auction room and was allowed commissions. One of the purchasers claiming a more valuable package that he had bought, Campbell refused to give it up. Whereupon the other, being a larger man, abused and struck him. Captain Burns, on learning this, went at once to the auction room and reprimanded the fellow for abusing a prisoner, and pulled his

nose for him, which the cowardly fellow did not resent. Burns also made Campbell a present of $500.

After paying every expense, the men on this cruise received each $3,000 for his share.

These two cruises of which the above synopsis is given, and the cruise of January-April, 1814, of which the log is the only one now existing are the only ones of which any record has been preserved. These three voyages covered less than twelve months of the two years and a half that the war lasted, but they show that Captain Otway Burns was a brave, daring man, an accomplished sailor, quick to perceive and decide—in truth a very Viking of the seas. The punishment he inflicted on the enemy was terrible, and the profits of some of his cruises were magnificent. From the journal which we have entire of the cruise from 20th of January to the 11th of April 1814, we learn that this was probably his most unprofitable venture, being richer in glory than in pecuniary recompense. The enemy's merchantmen had, doubtless, by that time been frightened from the seas.

In this log the officers and men are given as follows:

Otway Burns, Commander: Benj. D. Coakley, 1st Lieutenant; James Guthrie, 2nd Lieutenant; Joseph F. Anthony, 3rd Lieutenant; Thomas Barker, Captain of Marines; David Wallace, Lieutenant of Marines; Alexander Glover, Sergeant of Marines; Joseph Maires, Surgeon; John Gardner, Assistant Surgeon; James Smith, Sail Master; Moses Horn, Purser; John Parker, Steward: Israel Dyer, Gunner; Eli Crawford, Master's Mate; Thomas Green, (killed), Boatswain; William B. Reddey, Drummer. The Prize Masters were: Gilbert D. Gerry, Simon Pendleton, Gabriel Penn, Samuel S. Pendleton, Theophilus S. Fitch, William Fulford, (6). Boat Mates: Peter Cutler, Richard C. Miller, and Theodore Stickney, (3). Prize Masters Mates, Turner Glawhorn, and George Trath, (2). Able Seamen: Alexander Babcock, Edward Bridgedon (killed), Henry Fletcher (lost an arm), Henry Weaver, John Edgar, William Burns (killed), James Ballantine, Isaac Clark (shot in thigh), John Shilling, Charles Moore (killed), Alexander Konnon, Arthur Orr, Aaron Plase, John Hendrich, Royer Simpson, William Colhoun, Nicholas Hendrickson, James Leonard, Isaac Thomas, John Taylor, James Starbuck, Nicholas Bencher, John Williams, Charley Jordan, John Smith, Sims Stud-

ley, Christopher Kelly, William Smith, John Dizer, Joseph Peter, John Doyle, Joseph Alexander (killed), John Lougon, Constant Doby, Peter Van-Burgen, Nathaniel Crosby, William Watts, Toney John, William Cargon, Charles Williams, Thomas Davis, (41). Ordinary Seamen: John Peter, Alexander Taylor, Peter Pohn, John Mason, John Johnson, (5). Marines: Nat Owens, Peter McFarlan, Henry Frobus, Samuel Dyer, William Edds, George Doye, Allen Thomas, (7). Gunner Seamen: Jabe Wright, Peter John, Alexander Cummings, Joseph Davis, Jakeman Emery, William Frederic, John Wallace, (7). Boys: Peter Calea, John Durong, James Jones, John Lewis, John Eubon, Francis Barie, Peter Sullivan, Arnett Latham, David Lewis, John White, (10). Cook: James Belcher. Cook's Mate: James Cajjo.

Total: 99, of whom 4 were killed and 2 permanently disabled on that cruise. The slightly wounded are not even named.

This log shows that on 20 January, 1814, the "Snap-Dragon" crossed the bar here at Beaufort at 7 o'clock and saluted the fort. On the 22nd Captain Burns chased a British vessel which struck her colors but got away because the sea was too

boisterous to board her. On the 24th overhauled a vessel, but she proved to be a Swedish schooner from St. Barts for Rhode Island. Soon after started chase of a half armed vessel which escaped under cover of night. The next day chased a vessel that proved to be an American vessel from St. Domingo for Boston. On Tuesday, 8 February 1814 two vessels fired into him, and gave chase, but the "Snap-Dragon" showed them a clean pair of heels. By this time she was well down in the West Indies. On the 12th boarded a Portuguese vessel. On Sunday, 13th, Captain Burns records that he put two of the crew in irons "for introducing themselves to a water cask when the ship's company was on allowance." On the 16th he bore down on a strange sail, but finding that it was a large man-of-war "left her" as he very laconically says. On the 22nd the vessel began to leak and besides being short of water on the 23rd he entered the river Arawari. The tide falling he got stuck in the mud. March 1st having gotten off, he saw a strange sail and gave chase. It proved to be a ship carrying 22 guns. The following is a verbatim copy of Captain Burns' own words in describing the result of the contest between his 5 guns and the enemy's 22. It shows the style of fighting at a time when ships

lay and fought side by side, yard-arm and yard-arm, and when men did not

> "With a hankering for existence,
> Keep merely firing at a foolish distance."

Here is Captain Burns' statement from his journal which was filed under oath with the government on his return. He was at the time just off Surinam, or Dutch Guiana, as we style it, on the northern coast of South America.

"Thursday, 3 March, 1814. Commenced pleasant light rain about 10 P. M. At 5 A. M. made a strange sail to leeward, at 6 gave chase, about 7 gave her a gun and hoisted American colors, she answered us with another and hoisted English colors. At half-past we engaged her and a regular and constant fire was kept up by both parties; the enemy, perceiving that we designed boarding, manoeuvred his ship with great skill for a considerable time. At 11.30 got our musketry to bear on her. Orders were given to hoist red flag forward, 20 minutes past noon we got on the enemy's quarter. They, perceiving that we meant boarding, gave us several stern guns which injured our sail and rigging very much. We kept up a constant fire of great and small guns. At 1.30 orders were given

to board. The enemy put his helm hard up to run us down; his fore chains took our jib-boom and bow-sprit; he endeavored to haul down his colors and got them as far as the gaff. At that instant our bow-sprit gave way, and our fore-mast went by the board. The schooner then fell off as quick as two vessels could. The enemy then rallied his men, let off the men that had boarded him, hoisted his colors, and made the most of a good wind. All hands on board of us were called to clear the wreck, our shrouds, sails, and top-mast being shot away. Our colors were shot away, but were immediately tied in the main rigging. The pumps were sounded, and we found that she had no water. We then rigged a jury-mast and at length set our jib and at 4 made sail on the vessel. Our sails, rigging, and hull are much damaged and our boat completely ruined. The enemy's force is not known. She is a large ship coppered to her bends, mounts 22 guns, and fought desperately using round, grape, canister, and cold shot. They beat off our boarders with pistols, cutlasses, boarding spikes, hand spikes, and the above cold shot were thrown. When some were swarming on board, they threw stink-pots, bricks and glass bottles. We do not know her loss, but suppose she lost considerable, as blood ran out of

her lee scuppers, and her hull received damage from chain and star shot. We lost 4 men killed, viz: Thos. Green, boatswain; Wm. Barnes, John Hart, and Charles Nurse (of color); and 7 wounded, viz: Edward A. Brigden, Wm. Rogers, Henry Fletcher, Theodore Stickney, Isaac Clark, Malea and Peter George. Bridgen lost his right arm, and Fletcher had a severe wound in his thigh. Thus ends an action that forces us to run to some port to repair owing to our losing our mast. Had the mast stood she was our prize. We were so near Surinam we heard guns from the battery. Lat. 5 degrees, 58 min. N. Long. 55 degrees, 15 min. W."

Thus the brave sailor told the round unvarnished tale of the fight between his 5 guns and the enemy's 22 guns. And hear the old sea-dog's growl at the end: "had our mast stood the prize was ours." There is something of Paul Jones in that brave old North Carolinian. The state may well be proud of him. It was long before the enemy forgot him.

The log says that on the 7th of March, three days after the fight on the 4th, he crossed the bar and ran some twenty miles up the Arawari river. Lieutenant Anthony and some men went ashore on a raft, got timber, and went to work to repair

the vessel. On the 12th the authorities sent some men from Angostura to know what he was doing, to whom he replied that he wanted only water and repairs. On the following days, having gotten off, he gives us the names of vessels and their captains he met; but none of the British. From one of them he learned of a battle between the South American Republicans, then trying to establish their independence, and the Royalists (Spanish), in which the latter, 1500 in number, were annihilated, only three escaping, for no quarter was given. On the 14th he gave chase to a strange sail, but found she was the American ship "Saratoga" and learned that another ship the "Comet" had beaten two British privateers, one of 22 guns and another of 19, after fighting eighteen hours.

On the 24th he boarded a schooner floating Swedish colors but she proved to be an American vessel which had been captured by the British frigate "Cleopatra" and had a prize crew aboard. He changed crews, put his own prize master, Simon Pendleton, with Theodore Stickney as mate, and a crew, aboard and ordered her to the United States. On April 7th he made Cape Lookout light-house, saw a light off Ocracoke, fired a gun for a pilot, and, finally, after beating back and forth, came to

anchor off Shell Castle. He was lightered and then proceeded up Neuse River. At 11 A. M. on Saturday, 9th of April, came to anchor off the old county wharf, Newberne. "So ends," says the journal, "a cruise commenced for four months' abridged by an accident to 79 days. Fired a salute at a quarter past 11." This is signed by Otway Burns, and duly verified by him (with a full list of crew annexed) before Francis Hawks, Collector of the Port. The "accident" so mildy referred to was his fight with a 22 gun ship.

This was, probably, the most unprofitable voyage he made. Game had become scarce. The doves had become frightened and hostile hawks were plentiful. The prowess of Captain Burns and other brave sailors had driven British merchantmen from the seas and, in their stead, the ocean was swarming with British men-of-war and privateers.

The last cruise of the "Snap-Dragon" was made under command of Lieutenant DeCokely, Captain Burns being laid up with rheumatism contracted in the great exposure to which he had been subjected. The British prepared a special man-of-war, the "Leopard", for their old enemy, and concealed the guns, so that she might seem to be a merchant-

man. Captain Burns, as we have seen, had always detected that trick by his close observation, but Lieutenant DeCokely fell into the snare. He ran up too close to get away when the "Leopard" opened her broadside upon him. The "Snap-Dragon" fought with her old time courage, as if instinct with life, but when her commander, DeCokely, and others lay dead on deck and many of the rest wounded, the "Snap-Dragon" lowered her flag to the enemy for the first time in her whole career. She was carried to England and the crew to Dartmoor prison. A very old man, Redmond Stanley, within the memory of living men, resided at Kenansville, and told a stirring tale of that last fight of the gallant ship, and of his experience in Dartmoor prison. It is much to be regretted that no one took down his narrative for succeeding generations.

During the war of 1812, there were some 300 soldiers, mostly militia, at Fort Macon, just opposite Beaufort. On one occasion, when Burns was in port, some of them having gotten into a row with citizens of the town while drunk, were being roughly handled. They called out the rest of their comrades to whom some of the officers very foolishly issued 12 rounds of ammunition per man. Captain Burns interposed and his exertions alone saved

bloodshed. One of the soldiers, however, struck him and Burns promptly knocked the man down. When this news reached the ears of the crew of the "Snap-Dragon" they came en masse to avenge the insult. It required all Burns' eloquence to quiet his men, who very probably would have taken the fort and all the militia.

In his journal, Captain Burns relates the great difficulty he always had to prevent his men from being swindled out of their prize money and pay by men, whom he bitterly denounces as being usually Tories,—the very class of men who had opposed the war and thrown every obstacle in the way of its successful prosecution. Probably every age and every country has the same class of men to afflict it, but doubtless there were very few of them in this section.

It is narrated of Captain Burns that on one occasion, when his vessel was in port at Beaufort, a boat coming over from the fort with four men and an officer capsized. As the boat was carried out by the tide, the four men, when opposite the point, tried to swim ashore and two of them drowned. The officer, James Chadwick, doubtless of the well-known Carteret county family, held on

to the boat and was saved when two miles out to sea by the most strenuous efforts of Captain Burns and his gunner.

Having amassed a large fortune, Captain Otway Burns, after the war built a fine residence in Beaufort near the spot where the Atlantic Hotel afterwards stood and resided there twenty-two years. His great services were remembered both by the people of his native state and the Federal Government. From 1821 to 1834, he served twelve years in the General Assembly, seven years in the House of Commons and five years in the Senate, being thus elected twelve times, as the elections were annual at that time. After 1834 he declined re-election. During his service in the Senate, in that year, the county of Yancey was formed in the western part of the state, named in honor of Bartlett Yancey one of the greatest men the state produced. In honor of Captain Burns' distinguished services on the sea, and partly also for his breadth of view in supporting the creation of the western county, its beautiful county seat was named Burnsville. It is the highest above sea-level of any town in the United States east of the Rocky Mountains. So Captain Burns' fame may be said to have gone through every gradation to the highest level then attainable.

His only child, Owen Burns, born in 1810, was a chip of the old block. He was appointed a midshipman by the United States government in 1824; promoted to Master on the "John Adams" in the Mediterranean Squadron in 1831; commissioned Lieutenant in the United States Navy April 8, 1834; and resigned in 1840. His last service was three years in the "Falmouth" man-of-war in the Pacific. Captain Otway Burns, himself, was appointed to the charge of the "Brant Island Shoal Light" by President Andrew Jackson in 1835 and was thenceforward in the service of the United States government until his death.

In 1820, Captain Burns built for a company at Wilmington the "Prometheus", the first steamer that plied on the waters of the Cape Fear. The vessel was carried around to Wilmington, Captain Burns being in charge and one, Snyder, being the engineer. When it was announced that the long-expected steamer was in the water, and had turned the "Dam Tree' below Wilmington, the bells were rung, cannon were fired and the entire population turned out without regard to age, sex, or color. As she neared Market Dock, Captain Burns appeared on deck in his brilliant uniform with cocked hat and epaulets. There being no speaking-tubes

CAPTAIN OWEN BURNS

or electric bells in those days, he raised his speaking trumpet to his lips and there rang out in stentorian tones like the bellow of some monster of the deep, the command to the engineer: "Give it to her, Snyder." This became for long years a standing phrase on the Cape Fear something like the "Let her go, Gallagher" of recent days.

In 1823, Captain Burns built the brig "Warrior" and in 1831, the brig "Henry". The timbers were staunch live-oak which came from Shackleford and Bogue banks. Both vessels engaged in the West India and also the coast-wise trade which was profitable then. He also built a small two-masted sailboat, naming her the "Snap-Dragon" and put a "center-board" in her,—the first ever known in this section. She could beat any boat in Core Sound sailing.

Captain Otway Burns married in 1809 a Miss Grant, daughter of Reuben Grant of Onslow county. By his marriage he had one child Owen Burns, born in 1810, who, as already stated, became a lieutenant in the United States Navy.

After the death of his first wife, he married, December 4, 1814, Miss Jane Hall of Beaufort; and for her the handsome residence was built.

After her death, he married Miss Jane Smith of Smyrna N. C., on February 22nd, 1842, and moved to Portsmouth, N. C., where he lived until his death, which, according to the best accounts, occurred August 25th, 1850, his wife preceding him to the grave. By his second and third wife he had no issue. Portsmouth, at that time, was a port of entry, a sea-side resort, and a prosperous town of more than a thousand inhabitants. But very appropriately his body was brought back and buried in Beaufort whence he had so often gone forth on his bold expeditions against the enemy and to which he had always returned with added honor.

His only child, Captain Owen Burns, married in 1849, Miss Martha Armstrong, daughter of Solomon Armstrong, and grand-daughter of General John Armstrong, an officer of the Revolution. The only living descendents of Owen Burns are his seven sons, a daughter and ten grand-children.

1. I. R. Burns, who resides in New York City and Daytona, Florida. He has an only daughter Bessie Burns Hulse.

2. X. Eugene Burns, a fruit grower in Santa Clara Co., San Francisco, Cal., who has an only daughter Eugenia Burns Hulse.

MONUMENT OF CAPTAIN OWEN BURNS.

3. Richard Jerome Burns, who resides in Chicago, has an only son Grindall Jerome Burns.

4. Charles O. Burns, President C. O. Burns Co., New York City.

5. Walter Francis Burns, of Inwood, New York City, vice-president and general manager of the W. F. Burns Co., has two sons, Walter Francis Burns, Jr., and Otway Burns.

6. Edwin Oscar Burns, San Francisco, Cal., who has a daughter Martha Burns and a son Owen Burns.

7. Owen Burns, of the W. F. Burns Co., who resides in Chicago.

The only daughter Lillian lives at Inwood, New York City and is married to John Anthony Wilkens, of Rotterdam, Holland. They have an only child the charming young lady of four, Theodora Waltona Wilkens, who will do us the honor to pull the cord at the unveiling of the monument to her distinguished ancestor. She is accompanied by her mother and father and her uncle, Walter Francis Burns, son of Captain Owen Burns. The cannon by the monument is one of those which helped to earn fame for the "Snap-Dragon" and her gallant captain and crew. Its roar was music in their ears in many a fight in those long-vanished days.

Like all men who have performed distinguished service in their day, myths have already gathered around the name of Captian Otway Burns. One of them, repeated without investigation in "Wheeler's Reminiscences", is that his residence was crowned by an observatory from whence Captain Burns scanned the horizon for a strange sail and kept the crew of his vessel in readiness to rush out and seize it. Aside from the absurdity of keeping a crew under constant pay for such precarious service, it is sufficient to say that, first, the house was not built until after the war, and secondly, during the war English merchantmen had no possible destination that could bring them within sight of our coast. Captain Burns had to go to seek them where they could be found, in the West India trade and off the coast of Nova Scotia and Newfoundland. The idle story, doubtless, arose from the fact that his handsome house, after the war, had an observatory from which, with his old-time fondness for the sea the gallant old sailor would often sweep the horizon with his glass.

A most remarkable mis-statement in regard to a man whose actions had been so distinguished and had lived so much in the public eye, being also for the last thirty years of his life in State or Federal

TOMB OF SOLOMON ARMSTRONG

service, was one recently made by an anonymous correspondent in the "Newbern Journal" to the effect that Captain Burns was the pirate who made the ill-fated Theodosia, daughter of Aaron Burr and wife of Governor Alston of South Carolina, "walk the plank". She was lost at sea probably in a gale, in January 1813. There is no proof that she was taken by pirates, and, certainly no vindication of such a charge is needed by Captain Burns or the brave men of this and adjoining counties who served under him. The outrageous and absurd insult to one of the most gallant men North Carolina has ever produced was promptly answered by two of your distinguished fellow-citizens, Dr. J. W. Sanders, formerly Senator from Carteret, and Major Graham Davis. I only allude to the matter, which is unpleasant to mention, to impress upon North Carolinians the necessity of greater care in preserving our records and the memory of the great deeds performed by those who, like Captain Burns, have reflected honor upon our state and her people.

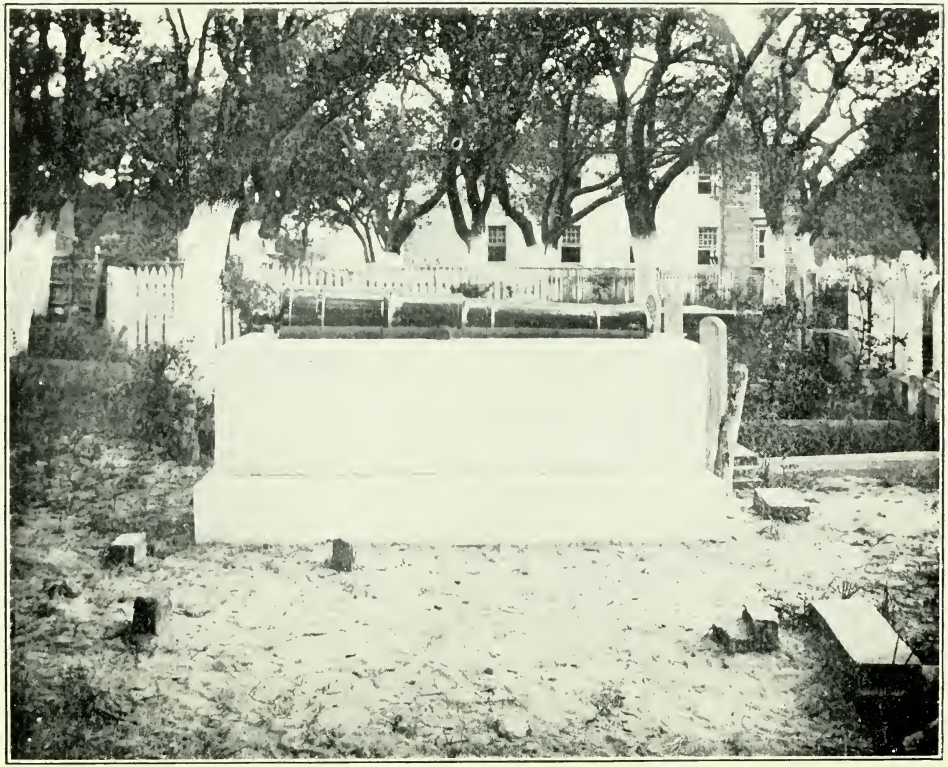
Captain Burns was as humane to his prisoners as any man who ever walked a quarter-deck. But while he was fighting it was a "fight for a funeral." One of the captured commanders asserted that Burns having run short of ammunition, had loaded

his last gun with sail-needles. That enemy probably got into port "sewed up." The red flag spoken of in his journal was the signal to board the enemy.

As long as Carteret and Onslow can furnish men who shall guard our ocean front with the courage and the fidelity displayed by Otway Burns and the brave men under his command we need fear no enemy.

They did well to bury Otway Burns here by the sounding sea, in the hearing of the waves whose rolling had been his lullaby in life. In the sea's wildest mood he was its master, and rode on its crest to fame and fortune. Judged with allowance for the means at his disposal, Otway Burns and his famous vessel were full peer to the "Alabama" under Raphael Semmes or the "Shenandoah" under the gallant Waddell.

There is a fascination to all who gaze on yon wild waves' incessant play. Standing by its side, how small seem the actions of us petty men on the shore. On the ocean the real drama of history has always been played and the nation which controls it, is master of the world while that dominion lasts. That dominion has passed from nation to nation as the centuries have passed away, but un-



CAPTAIN OTWAY BURNS' MONUMENT

caring, unknowing, and unchanged itself, the ocean has not ceased to roll.

"Thy shores are empires changed in all save thee,—
Assyria, Greece, Rome, Carthage, what are they?
Thy waters wasted them while they were free,
And many a tyrant since.
Unchangeable, save to thy wild waves' play,
Time writes no wrinkle on thine azure brow;
Such as creation's dawn beheld, thou rollest now.
Thou glorious mirror, where the Almighty's form
Glasses itself in tempests;
Dark-heaving, boundless, endless, and sublime,
The image of eternity, the throne of the Invisible."

To one who dared thy fiercest moods and loved them all, the brave sailor and soldier,

CAPTAIN OTWAY BURNS,

we now unveil his monument.

PRESENTATION
OF A PORTRAIT OF
CAPTAIN OTWAY BURNS
TO THE
STATE OF NORTH CAROLINA
October 30, 1901.

"That was a most interesting ceremony in the hall of the House of Representatives—indeed a most valuable contribution to the history of the state—the presentation of a portrait of a patriot son who rendered his state and country valiant and able service in their early struggles, and the sketch of him and of his deeds so well delivered by Dr. Kemp P. Battle. It was a graceful act on the part of Mr. Walter Francis Burns of New York, a grandson of this state, to present to the state the portrait of his distinguished grandfather, Captain Otway Burns, who commanded a privateer in the war of 1812, and served his state as a legislator later, the subject of Dr. Battle's most interesting address last night. Dr. Battle always does his work well, and this production is but another of his very many valuable contributions to our State's historical literature."

The Raleigh Post
Editorial Column
October 31, 1901.

PORTRAIT OF CAPTAIN OTWAY BURNS.

The portrait of Captain Otway Burns which was presented to the State of North Carolina on behalf of Mr. Walter Francis Burns by Kemp Plummer Battle, LL.D., Alumni Professor of History of the University of North Carolina, is the work of Mr. F. Mahler, pupil of Mr. W. M. Chase, America's great portrait artist. Mr. Mahler is also a successful exhibitor and the recipient of honorable mention at the Paris Salon.

The painting is a life-size head and bust with a sailing vessel in the back-ground. It is a copy of an authentic oil-painting on wood and represents the subject at about forty years of age. Colonel John D. Whitford who knew Captain Otway Burns in his later years has pronounced it a faithful likeness.

The picture is protected by a massive gold frame, glass, and shadow-box and bears the following inscription:

"Captain Otway Burns, born 1775, died 1850, Commander United States Privateer "Snap-Dragon", War 1812-15, presented to the State of North Carolina by his grandson, Walter Francis Burns."

The presentation took place in the Senate Chamber, at the Capitol in Raleigh, on Wednesday evening, October 30th, 1901.

PROGRAM.

1. Introductory Remarks, *Justice Walter Clark, President of the North Carolina Historical and Literary Society.*
2. Presentation Address, *Kemp Plummer Battle, LL. D., Alumni Professor of History, University of North Carolina.*
3. Acceptance for the State, *Governor Charles Brantley Aycock.*

INTRODUCTORY REMARKS BY WALTER CLARK, CHIEF JUSTICE OF NORTH CAROLINA.

Ladies and Gentlemen:

North Carolina has always loomed up grander in war than in peace. In piping times of peace, we are prone to take our ease and let the days drift by, but when the long roll beats, and brave men crowd to the perilous edge of battle, then her stalwart sons gather as to a marriage feast.

In the war of 1812, as in all others, North Carolina contributed her full quota of men, but the contest did not come within our reach. The war was fought largely on the ocean. On the land it was confined largely to the Canada border and, what was then our other border, at New Orleans, save the brief dash from Washington. This State sent a brigade to Norfolk, where they languished and died at Craney Island. She sent another brigade under General Joseph Graham to the aid of General Jack-

son in Alabama in the Indian War, but it arrived just too late to take part in the battle of Horse-Shoe Bend, where he broke the Indian power. This state furnished other troops, which also endured hardships and wasting disease, but were denied opportunity for distinction on the battlefield.

On the sea was our only opportunity. There in our small navy, Johnston Blakely, from North Carolina, achieved merit and distinction, and, on his premature death, the state educated his daughter, Edna; and a town was named in his honor, but it has long since vanished from the map.

The most conspicuous figure that North Carolina furnished in our second war with Great Britain, take him all in all, was Captain Otway Burns. The Constitution of the United States provided for privateering, and, under the broad seal of the federal government, Otway Burns was commissioned captain of a privateer, whose career was notable. He patrolled our ocean front, and displayed the Union Jack from Cape Farewell, the southernmost point of Greenland, to Cape San Roque, the easternmost point of Brazil. He captured the enemy's vessels under the guns of Halifax, and pounced upon them like a hawk upon a covey of doves off the mouth of the Orinoco.

For three years he was a terror to the British merchant marine, and inflicted damage only rivalled since by the Alabama and by another son of this state, the gallant Waddell in the Shenandoah.

Captain Burns left but one son, who became a lieutenant in the United States navy, and who sided with the South in the Civil War. The children of this son, the only descendants of Captain Otway Burns, are scattered from Australia to Holland, none of them residing in North Carolina.

But wherever they are, the hereditary fervor of devotion to the land of their origin still flows in their veins. As a great people, now dispersed abroad, still turns to Jerusalem as the cradle of their nation and their hopes, and as the Roman legions, who "marched from east to west beneath the eagles from Pontus and Gaul," ever looked to the imperial city as their home, so these descendants of the brave North Carolina soldier and sailor still fondly recall the land of his nativity and the honors he won for the state of his birth.

And North Carolina has not forgotten him. The highest town in the Union, east of the Rocky Mountains, the county seat of one of our fairest counties—Burnsville, bears his name. When, last summer, his

descendants unveiled a monument to his memory in the town of Beaufort, the counties of Carteret, Jones and Onslow, which had furnished his brave sailors, turned out to do honor to the memory of the commander who had led them to victory. And tonight, when his portrait is to be presented with filial piety to the state, a distinguished citizen, formerly president of our State University, and who occupies the chair of History in that historic institution, is to make the presentation, and the Governor of the state (who is, himself, unavoidably absent) will receive it through a high state official, who has served North Carolina in two great wars, and this brilliant and cultured audience is here to bear testimony to the honor North Carolina pays those who have reflected honor upon her history as a state.

Ladies and gentlemen, I now present to you Dr. Kemp P. Battle, of the University of North Carolina.

ADDRESS BY KEMP P. BATTLE, LL. D.

We are met to honor a man whose fortune it was at important epochs to do good service to the United States and to North Carolina. It is my duty, at the request of his descendants, to show how this honor was won, and what chapters in our history are illustrated by his career.

The portrait, which I have the honor in behalf of Mr. Walter Francis Burns of New York, to present to the state, is that of his grandfather, Otway Burns, Captain of a privateer in time of war, and a most useful legislator for his state in time of peace. It delineates him when in his prime, about forty years old.

The original painting from which this is copied, was secured from Mrs. Hall, of Beaufort, an aunt of Jane Hall, second wife of Captain Burns, by Mr. Washington Bryan, and by him transferred to Mr. Walter Francis Burns. The copy is by a pupil of

the eminent William M. Chase, of New York, F. Mahler, who has received honorable mention in the Paris Salon.

Francis Burns, one of that stalwart people, who have produced in proportion to numbers more men of mark in all pursuits than any others in the world's history, the Lowland Scotch, of whom their neighbors, the Scotch-Irish, are offshoots, emigrated from Glasgow in 1734. He was in company with many neighbors, who followed their countryman, Governor Gabriel Johnston, to the new lands offered for sale on low terms by the Crown, which had recently purchased seven-eighths of the title, and all the right of government. He chose Onslow for his habitation, a choice which profoundly affected the career of his grandson, because the county looks out on the waves of the great Atlantic. It is so permeated by sounds, inlets, and rivers that every Onslow baby is born a lover of the sea, as every duck is born web-footed. His farm was on Queen's Creek, two miles from Swansboro, and therefore very near the county of Carteret. His will dated in 1792 shows that he had been thrifty. He bequeathed lands, cattle, hogs, and fifteen slaves, and gave back to his wife all the property she had before marriage, as agreed in a pre-

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STATE of NORTH-CAROLINA. No. 84

To all to whom these Presents shall come, Greeting.

KNOW YE, That We, for and in Consideration of the Sum of Fifty Shillings for every Hundred Acres hereby granted, paid into our Treasury by *Frances Burns* have Given and Granted, and by these Presents do Give and Grant unto the said *Frances Burns* a Tract of Land, containing *One Hundred and Fifty* Acres, lying and being in our County of *Bladen* Beginning at the mouth of a small Creek on the South Bank of Juan Creek in the Cape Fear River and then Course as the River runs South Eighty Eight East twenty Eight Poles to a Stake standing on Juan Creek then along the same North Fifteen East Fifty nine Poles to a Stake then South Fifty two East twenty two Poles to a Stake then South Eighty three East thirty and Poles to a Stake then South Eight East Forty and Poles to a Stake then South Fifty six West Ninety Poles to a Pine then North three West one Hundred and Poles to a Stake then South forty seven West Forty six Poles to a Stake then South seventeen West to the first Station Containing as Marked the Beginning of the Grant then to the East of Italics.

as by the Plat hereunto annexed doth appear; together with all Woods, Waters, Mines, Minerals, Hereditaments, and Appurtenances, to the said Land belonging or appertaining: To hold to the said *Frances Burns* his Heirs and Assigns, for ever. Yielding and paying to us such Sums of Money yearly, or otherwise, as our General Assembly from Time to Time may direct. PROVIDED ALWAYS, That the said *Frances Burns* shall cause this Grant to be registered in the Register's Office of our said County of *Bladen* within Twelve Months from the Date hereof, otherwise the same shall be void and of no Effect.

IN TESTIMONY whereof, we have caused our Great Seal to be hereunto affixed. WITNESS *RICHARD CASWELL*, Esquire, our Governor, Captain-General, and Commander in Chief, at *Kingston*, the *Twenty* Day of *March* in the *Fourth* Year of our Independence, and in the Year of our Lord One Thousand Seven Hundred and *Eighty*

By His Excellency's Com.d

Richd Caswell

J. Glasgow Sec.

ORIGINAL GRANT TO FRANCIS BURNS

nuptial contract. Legacies were made to his grandsons, Otway and Francis, and to children of daughters, who had married into the Smith, Spooner and Davis families.

The father of Otway Burns was also named Otway. The son was born in 1775. His early life was spent on the farm. He soon, however, developed sea-faring tastes. On the sharpies and small schooners which plied in pursuit of fish or for pleasure in the neighboring sounds and near the ocean's shores, and in the larger vessels carrying merchandise to and from the Atlantic's ports and the West Indies, he learned thoroughly all the duties of sailors, from those of the Jack Tar before the mast to those of the lordly captain in his vigilant solitude on the quarter deck.

He learned more than this. He became a builder of ships; not the great clippers, of course, but of such craft as could enter the shallow waters of North Carolina. His ship-yard was at Beaufort.

The merchants of his section, ever on the lookout for nautical experience, soon discerned in him qualities of leadership. He had a frame of herculean strength and of tireless endurance, a mind active and acute, a courage which knew not shrink-

ing, a nerve which grew more steady in the fiercest dangers, a temper quick but never unsettling judgment, a serene self-confidence, which, united to fertility of resource and skill in seamanship, gained the confidence of others, and an iron will which compelled obedience. He was employed as a commander of a coaster, his extreme limits being Newbern on the south, and Portland, in Maine, on the north.

The news of the passage by Congress on the 18th of June, 1812, of the declaration of war with the United Kingdom of Great Britain and Ireland, found him sailing to his northernmost harbor. On entering it, he was urged to convert his vessel into a privateer with him as commander, but deeming her too slow, he declined the proposition. He found in New York a clipper-built schooner, called the "Levere," of admirable sailing qualities. By the aid of a joint stock company she was purchased, strengthened, armed, and in all ways made ready for her new and hazardous career.

Sailors are fond of calling vessels after animals noted for qualities of pluck, or swiftness, or some dangerous trait, offensive or defensive, and the owners like to please them. Thus in the regular navy of 1812 we find a Wasp, Hornet, a Viper, and those

Onslow County the twenty Sixth June one
Thousand Seven hundred and Seventy nine.
Surveyd for Frances Burns one hundred and
fifty Acres lying at the mouth of Queens Creek
and on the Sounds begening at a red Oak on the old
Patent lines then Easterly a Small East or Creek South
Seventy Eight East Seventy five Poles to a Stake standing
on Queens Creek thence along the water North Eighteen East
fifty Nine Poles to a Stake then South fifty two East twenty
Six Poles to a live Oak then South Eighty three East thirty
Six Poles to a Stake then South Eight East forty Six Poles to a
Stake then South fifty Six West Ninety Poles to a Dead Pine
then South thirty three West one hundred and thirty Six Pole to a Stake
then South forty Seven West forty Six Poles to a Stake then South Seventy
Seven West fifty three Pole to a Staple the begening of the old Patent
thence to the first Station

Jas. Pearson C Surv.r

A Scale of one hundred Poles to an Inch

Chain Bearers { Otway Burns, John Hawkins

A Scale of one hundred Poles to an Inch

equally dangerous ladies, Vixen and Syren. Among privateers there were likewise a Wasp and a Hornet, and in addition, a Fox and a wily Reynard, a Hawk, an Owl, a Snow-bird, a Sparrow, a Swallow, a Lark, a Curlew, a Young Eagle, a Young Wasp, a Lion and a Leo, a Reindeer, a Sword-fish, a Fly, and that giant mosquito, the Galliniper. In accordance with this taste in nomenclature, the name of the Levere was changed to that of Snap-Dragon, an animal not dangerous in either sting or bite, but having a suddenness of motion quite startling The co-partners of Burns were principally well-known business men of Newbern. Among them were William Shepard, father of the late eminent Raleigh lawyer, John H. Bryan, one of whose sons, William Shepard Bryan, has been on the Supreme Court bench of Maryland; another, Henry R., is now a judge of the Superior Court of our state. Another share-holder was Isaac Taylor, of the Western Hospital for the Insane. Others were James McKinley, John Harvey and Dr. Edwards Pasteur.

Burns' experience as the captain of a coaster eminently fitted him for the charge of a privateer. The troublous days of the Napoleonic wars, when neutrals were not strong enough to enforce their

rights by arms, when, in imitation of the arrogance of ships of war of belligerents, their merchant vessels often were guilty of acts of insolence and lawlessness verging on piracy, and when pirates in reality were sometimes met, the commanders of our merchant marine were forced to be wise as serpents and not harmless as doves. They were quick to resist , ready, if needs be, to train their long guns on the aggressor, or drive back boarders, with cutlass, pike and ax. They went prepared to fight as well as to trade.

As privateering seems to be not in accordance with the spirit of the age and as it is often spoken of as "legalized piracy," I deem it proper to say a few words in vindication of those who in the war of 1812 engaged in it.

It is a settled principle of international law that private property on land, unless needed for military purposes, must not be considered lawful plunder, but this humane law has never been applied to private property at sea. It is a recognized law that the seizure of merchant vessels and goods, and their appropriation or destruction, is an appropriate means of reaching the enemy and making him ready for peace.

It is one of the duties of public war vessels to make these captures, and nations having great navies may be satisfied to use no other force. But when a nation strong on the sea fights another which is weak in public ships, the latter may be driven in self-defence to hire her citizens to make captures in her behalf. These captures are made under written governmental authority.

The trend of civilization is, however, evidently against privateering. Franklin in 1785 procured a treaty between the United States and Prussia by which each agreed not to employ privateers against one another; a provision, not, however, renewed in a subsequent treaty. It was not in use by either party in our conflict with Mexico, nor by either nation in the Crimean War, nor by either party in the recent Spanish War. In 1877, after making a treaty ending the Crimean War, Great Britain, France, Russia, Austria, Sardinia, Prussia, and Turkey agreed to abolish privateering, and invited other nations to concur. The United States, Spain and Mexico are the only powers which refused. The United States replied that it was their policy to keep only a small navy, and in case of war to rely on increasing their power by the use of privateers. If,

however, an additional rule should be adopted, placing private property on the seas on the same footing as that on land, they would gladly accede. This suggestion was not adopted. When the Confederate War broke out, alarmed by the danger to their commerce, by privateers expected to be licensed by the Confederacy, the United States offered to adopt the rule, but as the offer was evidently intended for present use against the Confederate States, the great powers, having already conceded to the latter belligerent rights, did not accept the offer. The Confederate States, in view of their extreme weakness on the ocean, offered letters of marque to foreigners, as well as to their own citizens, but owing to the difficulty of bringing captures into port, and to the illegality of disposing of them in neutral ports, the project failed. The government was driven to building or buying their own cruisers, the Alabama, Florida, Shenandoah, and others, which not only crippled, but well-nigh destroyed the merchantmen of the Union.

This statement shows clearly that although in modern times privateering is less resorted to than formerly, yet it is entirely in accordance with international law. Our wise statesmen of 1787 conferred

upon Congress, as auxiliary to the war power, the right to issue letters of marque and reprisal, and prohibited it to the individual states. It was not until 1812 that this sleeping power was aroused into action. It had, however, been freely used by the Continental congress and the Confederation.

After submitting for years to degrading insults and oppression, on the part of the warring European powers, led by England and France, the peace-loving, tax-hating, debt-abhorring, standing-army-dreading, navy-despising statesmen who held the reins of power, declared war gainst Great Britain, believing her more blamable than France. Although the war had for years seemed possible if not probable, neither respectable armies nor the material for making them had been provided. Our antagonist, of men-of-war had nominally ten hundred and sixty sail, of which nearly eight hundred were in good fighting order. We had a grand total of twenty sail, of which only seventeen were ready to fight. Great Britain had many great ships of the line, 74's and even larger. Our greatest vessels were three 44-gun frigates, the Constitution, the President, and the United States, while nine were from 18 to 12-pounders. With this enormous disparity in naval force

our government naturally, as Queen Elizabeth did against the Spanish Armada, made use of the ships of her citizens. Bonds were required that they would act according to the rules of international law. Captures and their cargoes, where necessity did not require burning or ransoming, were to be brought before a district court for adjudication. The usual import duties were to be paid out of the proceeds. A percentage was to be reserved for pensioning the disabled in service, and the widows and children of the killed. The residue was to be distributed according to proportions prescribed by law; namely, unless there was a special agreement otherwise, one-half to the owners of the ship and armament, the other among the officers and crew in like manner as in case of public armed vessels. In truth, the privateers were as much government forces and doing government work, as were the independent commands of Marion, Sumpter, and Cleveland, in the Revolutionary War, or those of Ashby and Forrest, in the early stages of that of our own; or in the Franc-tireurs, in that between France and Germany. The captures by such ships were no more robbery than the captures by ships of war. The Snap-Dragon was no more piratical than the Bon-Homme Richard, or the Constitution, the Alabama, or the

Shenandoah; Otway Burns no more a pirate than Paul Jones, or Hull, Bainbridge, or Blakely, Semmes, or Waddell.

The Federalist opponents of the War of 1812 vented their fury in abusive epithets against those of the war party. Once a company of idlers was assembled at the wharf at Newbern, where the Snap-Dragon was lying. An ardent anti-war man, an impulsive citizen of French extraction, a compiler of our laws and author of a history of our state, afterwards a Supreme Court judge in Louisiana, Francis Xavier Martin, used against her officers and crew the epithet fashionable among Federalists, "licensed robbers." Captain Burns heard the words, leaped into his boat, was rowed rapidly to the wharf and, catching the word-slinger by the seat of his breeches and collar of the coat, flung him into the Neuse. This cooling process persuaded him, I will not say to eat his words, but, in the refrain of an old rollicking song, to "drink them down."

The doughty Captain was also prompt to resent what he considered an infringement of his rights, and his methods were not always such as are laid down in books of legal procedure. While enlisting recruits at Newbern, he became satisfied that a sys-

tematic effort was being made to thwart him by arresting his recruits for petty debts. He gave orders that no process should be served on his men and, when a boat-load of constables rowed alongside his ship, he promptly ordered it to be upset, and the officers of the law made their way to land like half-drowned rats.

When the government called for privateers, our sailors, being prevented by British blockaders and cruisers from plying their regular calling on the seas, responded with true American alacrity. Baltimore sent 58 vessels; New York 55; Boston, 32; Philadelphia, 14; Portsmouth, N. H., 11; Charleston, S. C., 10. Others sent smaller numbers, the total being 253. North Carolina furnished four, the Lovely Lass, of Wilmington, the Hawk, of Washington; the Hero, of Newbern, and the Snap-Dragon.

Some of the privateers were of considerable size and strength, and refused to run away from a war vessel near their size. The Chasseur, of Baltimore, with 16 guns, attacked and succeeded in capturing the St. Lawrence, a public war schooner of her own class. Captain Champlin, of the General Armstrong, gallantly engaged a British frigate of 24

guns, and, after a desperate action, escaped. In this action he lost six killed and sixteen wounded, and had masts, sails, rigging, and hull badly cut up. Captain Reid, in the same General Armstrong, in the neutral harbor of Fayal, made one of the most gallant defenses of his vessel known to history. The Non-Such, of Baltimore, Captain Levely, a 12-gun schooner, fought three hours and twenty minutes a 16-gun ship and a 6-gun schooner, and made her escape. The brig privateer, the True-blooded Yankee, the Saratoga, and the General Armstrong, each carried 18 guns and 160 men. Others had 16 guns or less. These were intended for combats with armed merchantmen and enemy privateers, if perchance they should be met. Others expecting to encounter weaker adversaries had fewer guns and men. One captain actually sailed with a single gun, but it was very large and he had a crew of 50.

The aim of the privateers, if they attacked an armed vessel, was to do all the execution possible with their guns, and then dash in and board the adversary, their superior numbers thus generally gaining the victory. This maneuvre was generally dangerous in a storm, as the smaller craft dashing against the larger might be wrecked, but in favorable

weather victory was well-nigh sure. Merchantmen carrying as many as 14 guns had only 25 sailors, others 30, while the privateers could throw on them 80 to 100 men who had no duties in navigating the ship, but were trained to fight. This accounts for remarkable captures, for example the taking of a merchantman so large that the victorious captain hauled his craft on the deck of his prize and thus sailed into Portland.

As a rule the British merchant vessel sailing alone was almost sure of being captured, and it was usual therefore to make up fleets, under the protection of one line-of-battle ship and two or three frigates. The privateers met this by hovering near and attacking stragglers, trusting to their speed to escape the armed escort. They were like wolves prowling around a flock of sheep, endeavoring to evade the vigilance of the shepherd dog. If perchance a storm scattered the fleet, a golden harvest was reaped. The Snap-Dragon, being fast and strong, quickly obedient to her helm, and commanded by an extremely skillful captain, was very successful in weathering storm and picking up stray vessels.

The law required that a description of privateer vessels and lists of crews should be filed before

each voyage. We have only one of these in relation to the Snap-Dragon, that of July, 1813. In that she is said to be of 147 tons burthen, her crew 78, her armament 5 carriage guns, 50 muskets and 4 blunderbusses. The First Lieutenant was James Brown. On subsequent voyages her force was strengthened; when off the coast of Nova Scotia she had one long gun on a pivot, probably an 18-pounder, and six others.

On one voyage she had 187 men, and her last under Burns, in 1814, 99. A 147 ton merchantman would not require more than 6 men to handle her, which shows clearly the excess of numbers on a privateer needed to board the enemy and furnish crews for prizes taken. The officers in the lists preserved for the cruise beginning January 20, 1814, were besides Burns, Captain; Benjamin DeCokely, First Lieutenant; James Guthrie, Second Lieutenant; Thomas Barker, Captain of Marines and Joseph Meires (probably Myers), Surgeon. Fourteen of the whole number were classed as marines.

Some of the papers connected with the cruises of the Snap-Dragon, have been lost, but we have authentic copies of the logs or journals, kept by Burns in 1813-14. The substance of one is pre-

served in the North Carolina University Magazine, of October and November, 1855, in a sketch prepared by the late John H. Bryan, Jr.; the second was found by myself printed in the Raleigh Register, September 24, 1814. The third was procured from the collector of the port of Newbern by Colonel John D. Whitford and printed in the Newbern Journal January 5—February 23, 1896. This last cruise was from January 20, to April 19, 1814.

These journals portray in the terse, direct style usual in such documents the important incidents of the voyages. I will abbreviate some of them. translating the nautical language into the vernacular, as I presume most of you are, like myself, "landlubbers". Some I will give without alteration. It is unfortunate that the publication in the University Magazine does not give the dates of the cruise therein commemorated. From internal evidence it appears to be the first. It was among the West Indies.

To show the method of Captain Burns in managing his crew, I give the following: While on his first cruise he called at Providence, a beautiful island of the West Indies. Mindful of the health of his men, he allowed them, one-third at a time,

to go on shore. The last party, in which were several Irishmen, found a dram shop, with the usual results. While in the midst of the carnival, the Captain sent an officer to order them to return at once, but prompted by the sergeant of marines, a reckless son of Erin, named Plane, they refused obedience and threatened to throw the messenger down the hill. As soon as this was reported to Burns, he seized a cutlass, and ordered the boatmen to put him ashore. In his maudlin recklessness, Plane met him, saying: Well, Captain, when ashore I am as good a man as you are." Without a word Burns cut him down, with a wound not mortal, and then attacked the rest of the party single-handed, cutting and slashing until blood ran in streams. They were overawed by his terrific manner, and submitted to be driven to their duty. This conduct may sound harsh to a landsman, but Jack Tar must render swift and unquestioning obedience as a habit, or else in storms and battles crew and craft may be lost. I am not describing a kindergarten teacher nor the chairman of a Peace Society, but a fighting captain of a fighting cruiser.

Another incident on the same cruise will further illustrate his discipline. The Snap-Dragon had just captured a merchantman of 14 guns. A seaman,

named Thompson, with a tongue as tireless as the restless waves of the sea, had been from the beginning of the voyage, gasconading about his prowess and exploits. On this occasion his words were really offensive, tending to create disaffection among the crew towards the officers. The captain roundly chided him, observing that he was always loudest in peace and stillest in danger. Thompson replied that the captain, being the commander, could safely use such abusive language. Burns said he was willing to waive his rank, but thought it essential to discipline to administer a flogging, which he proceeded to do with his own hand. It subsequently became necessary to put the flogee ashore. He left with threats of vengeance upon the flogger. It is strange that the first person he met after landing in the United States was his old enemy, but instead of carying out his threat he begged that the past be forgotten.

This incident illustrates the strong difference between the discipline of a man-of-war and that of a privateer. Such a scene could not have occurred in the regular service, where by custom and rule the commander has but little personal communication with the crew. The captain of a privateer, with recruits recently enlisted, with the terror of

government authority much more remote, his men serving primarily for gain and little for patriotism, must exact obedience by strength of character, tact, utter fearlessness and indisputable superiority and seamanship.

In order that you may form some idea of the graphic and vigorous style of Captain Burns' log, I give in its words an encounter with a large and powerful merchantman. The date is March, 1814. It shows the daring nature of the man, that he attacked a vessel with three times as many guns as he had. Victory was prevented only by an accident as will be seen.

"Thursday, 3rd, commenced a pleasant light rain about ten P. M. At five A. M. made a strange sail to leeward; at six gave chase; about seven gave her a gun and hoisted American colors; she answered us with another and hoisted English colors. At half-past seven we engaged her and a regular and constant fire was kept up by both parties; the enemy perceiving that we designed boarding, manœuvred his ship with great skill for considerable time. At half-past eleven got our musquetry to bear upon him—orders were given to hoist the red flag; (the red flag was the signal for

boarding.) At twenty minutes past noon we got on the enemy's quarter. They perceiving that we meant boarding gave us several stern guns, which injured our sails and rigging very much. We kept up constant fire of great and small arms; at half-past one we received orders to board. He put his helm hard up to run us down; his fore chains took our jib-boom and bow-sprit; he endeavored to haul down his colors and got them as low as the gaff. At that instant our bow-sprit gave way and fore-mast went by the board. The schooner then fell off as quick as two vessels could fall. The enemy then rallied his men and let off the men that had boarded him, hoisted his colors and made the most of a good wind. All hands on board of us were called to clear the wreck, our shrouds, sails and top-mast being shot away. Our colors were shot away, and immediately tied in the main rigging. The pumps were sounded and we found she made no water; we then engaged by a jury-mast and at length set our jib, and at four made sail on the vessel. Our sails, rigging and hull is much damaged, and our boat completely ruined. The enemy's force is not known. She is a large ship, coppered to her bends, mounts 22 guns, and fought desperately, using round, grape, canister and cold shot.

They beat off our boarders with pistols, cutlasses, boarding-pikes, and the above cold shot were thrown. When some were swarming on board they threw stink-pots, bricks, and glass bottles. We do not know her loss, but suppose she lost considerable, as blood run out of her lee-scuppers and her hull received damage from chain and star shot. We lost 4 killed, 7 wounded * * *. This ends an action that forces us to run for some port to repair, owing to losing our mast; had it stood she was our prize. We were so near Surinam, we heard guns from the battery."

This story brings out clearly the usual tactics of the privateers in capturing a much larger merchantman, armed with many more guns. At a distance the long guns are used; as they approached, the carronades and the musketry. Then, as soon as possible, boarders leaped on the enemy's deck. Resistance, however desperate, was usually overcome by superior numbers of picked men, trained for hand-to-hand conflicts. In this fight the English captain was evidently a very able and fierce antagonist. As a last resort he adopted the dangerous expedient of endeavoring to ram the American, and, although Burns by prompt action pre-

vented entire success, he carried away the support of the Snap-Dragon's fore-mast and caused its fall. He then sailed away and escaped. It was a beautiful contest between two uncommonly skillful seamen, the Englishmen evidently having a larger crew than was usual with merchantmen. One of the Snap-Dragon's crew, Nat Owens, stated that in one of his fights at close quarters, Burns charged his gun with sail-needles when grape ran low, and this was probably the occasion.

Burns was a capital sailor. In a tropical gale of tremendous force, the Snap-Dragon was saved entirely by his resourcefulness. The first blow of the wind lost her jib-boom and started her cut-water. After being on deck all night he took a rest, leaving his lieutenant in charge. The wind shifted and a huge wave knocked the ship on her beam-ends, breaking the guns from their fastenings and opening a seam in her side thirty feet long. Burns rushed on deck, secured the guns, promptly turned her head and held it on the tack. This raised the leak above the water and by vigorous pumping the danger was passed. . .

The log tells of a narrow escape from capture effected by the benius of Burns. Four large ships were descried. His keen eye satisfied him that

one was a war vessel disguised by taking down her fore and mizzen top-gallant masts and pinning old black patches on the sails. There was such murmuring at his caution that Burns concluded that it was best to run some risk in order to satisfy his crew. Bearing down on the stranger he sent several shots into her but no answer was made until the Snap-Dragon began to retreat. Suddenly the batteries were unmasked and grape and cannister whistled through her sails. The peaceful-looking merchantman was transformed into a powerful and swift man-of-war. Then ensued a trial of skill between the two, both manœuvering with ability, while the breeze increased almost to a storm. Some on the Snap-Dragon, seeing the Englishmen's size and speed, began to pack up their clothing, so as to be ready for a voyage to England. But the pluck of Burns and the faith in his craft never faltered. He seized the helm and suddenly tacking, sailed by his adversary only three hundred yards off. Of course he received a broad-side, but just as the shot left the guns a great wave hid the privateer, so that she really seemed to dive like a duck out of danger. Her sails were only slightly cut up. The Englishman attempted to tack in pursuit but his ship failed to turn promptly and, by a series of

short tacks, which his larger enemy could not imitate, the Snap-Dragon rapidly increased her distance. Such was the force of the wind and she was so hidden by the mountainous waves, that the captain of the man-of-war reported that she had sunk.

Captain Burns' pluck and seamanship was displayed to great advantage in rescuing his vessel from five British vessels of war at the port of St. Thomas on the island of the same name, then in possession of Great Britain. Stationing himself at night near the harbor in order to cut out some vessels at anchor therein, he was surprised when the darkness lifted at finding himself lying between five English men-of-war, three to windward and two to leeward. One of them, the Garland frigate, was in gun-shot distance, and fired a 32-pound shot, which, fortunately, missed. Forty miles distant there was a huge rock, called the Sail Rock, it being feasible to pass on either side. Burns. headed his swift cruiser directly for the rock so that the enemy could not divine on which side he would pass. Making his men lie down, he took the helm himself, and at the critical moment chose the safer side. The nearest brig, the Sophia, gave him a broad-side of grape and round shot, and then another, without effect, and the Snap-Dragon sailed

down the wind until out of danger. The captain had the politeness, or perhaps you will call it the impudence, before going out of sight, to tack his ship, display the American colors, and fire a farewell gun. There were few men in our navy who could have escaped such an ordeal unharmed.

Burns did not hesitate to attack a 10-gun brig-of-war. The Nettler of that force, when he was cruising near Tortola, one of the Virgin Islands, bore down upon him. The Snap-Dragon was headed to meet her, but the Nettler declined the combat and took refuge under the walls of the fort. Burns, when night came on, ran by the fort and endeavored to seize one of the merchantmen. In the darkness his boat encountered the Nettler, and, being unable to fight both brig and fort, by aid of his sweeps he left the harbor.

At one time, when off the coast of a Spanish island, some English prisoners on the Snap-Dragon begged to be put on shore. Burns, who was always kind to his prisoners, consented with reluctance, because the island was remote from the tracks of commerce, and his men might be detained on suspicion of piracy. His fears were well founded. His boatmen were thrown into prison, and vexatious delays interposed against their release. He deter-

mined on the strong hand. He weighed anchor and sailed off. Soon a small war boat, called a felucca, with about a 100 men on board, came out of the harbor. The Snap-Dragon suddenly returned and captured her. Two gibbets were rigged and the commander was notified that, if the Americans were not released in two hours, all would be hanged, beginning with the captain. In one hour the Snap-Dragon's men were on board, and the voyage was continued.

Another incident well illustrates the little weight the United States then had among nations. While sailing to Cartagena for supplies, Burns distinguished an English vessel on the high seas convoyed by two Spanish, one a brig of 12, the other a schooner of 8 guns. Without any warrant of international law, they claimed in a blustering manner that the Englishman was exempt from capture. He disregarded their threats, seized her, put on her a prize crew of 20 men, and, ordering them to await his return, proceeded to Cartagena. While absent, a number of Spanish gunboats attacked and captured the prize after a short resistance and carried her into harbor. The crew were thrown into prison in irons for firing on the Spaniards. After three

weeks' detention, by free use of bribes, their release was secured. The loss to the stockholders of the Snap-Dragon was estimated at $20,000. It is not conceivable that a United States privateer would be treated in this arbitrary manner in these days of fleet smashing off Manila and Santiago.

While at Cartagena, one of the crew attempted to desert, and, being caught, claimed to be a Spaniard. A brig-of-war anchored near her, and her captain came on board the Dragon and claimed the sailor. High words followed between him and Burns, when in a spirit of gasconade, he drew his sword. Burns seized a boarding-pike and was with difficulty prevented from staving it through his adversary, who promptly abandoned his claim. Shortly afterward, in exercising the right of search of a Spanish brig, and while the boarding officer was in the cabin examining papers, some of the sailors who had been imprisoned at Cartagena, proceeded to hang a Spaniard or two by way of retaliation. The rope was around the neck of one of the dons, and the body was about to swing, when the officer came up from below and stopped the execution. Truly, Jack Tar is a reckless fellow in times of war.

The next incident is supplied by Mr. Thomas C. Davis, of Morehead City, to whom I am indebted for much valuable information. Captain Burns and Captain Almida, of the privateer Kemp, differed about the division of a valuable prize. The dispute waxed so hot that Burns challenged Almida to a "yard-arm-duel." In this mode of satisfying honor, the antagonists station themselves on a yard-arm of their respective vessels, Then the vessels are sailed near and around one another, while the duelists from their airy seats fire away each at the other with musket, rifle, or pistol, while the sailors below eagerly watch the sport. He, who is hit, may drop at once on deck or into the ocean. While they were on their way to the place agreed upon, they chanced to see in the distance several sails. The hostile encounter was changed into a chase of the enemy, and the capture of one apiece so mollified their anger that the duel was adjourned sine die by unanimous consent.

From the journal of the cruise from June 3rd to August 16th, 1813, over the Banks of Newfoundland, we find a sarcastic allusion to an opinion of the Chief Justice of the United States. "June 8, spoke American ship Active, from Wilmington to Cadiz, cargo, flour—had the impudence to show

us his British license; suffered him to proceed; so much for the decision of Judge Marshall." To the downright mind of Burns accepting the license from the enemy made the acceptor equally an enemy.

The following shows quick work, though not profitable: "June 24, at 4 P. M. captured the barque Henrietta, Captain Mason, of Liverpool—at a quarter past four captured the brig Jane, of Maryport, Captain Arkbridge—at five captured brig, Pandora, of Havre de Grace, Captain Murphey, all in ballast."

"June 25, at 7 A. M. manned and ordered for the United States the two former and gave up the latter to the owners, after having paroled the prisoners and put them on board her."

The next statement of the journal shows the cunning of the Englishman, and how the fox, Burns, was not caught in the trap.

"June 27, at meridian saw a strange sail to the south of us, and stood for her. At 2 P. M. the chase gave us a gun and hoisted English colors, distant three miles. We returned it and hoisted American colors. She then crowded all sail and we gave chase until night concealed her from us. Saw her again at daylight and chased her again until 5 A. M. when the fog, which, however, was

light, cleared away and discovered a convoy of 25 or 30 sail to windward, protected by several frigates and 74's, two of which stood for the chase, as soon as they heard her signal guns. As soon as the chase, which we ascertained to be a brig, showing 14 guns, came up with one of them, she was fired upon, and immediately ran toward us, and the firing continued at intervals until 4 P. M. We, however, suspected a decoy, and kept at a respectful distance."

After some days of anxious sailing in and out of the "darkness visible" of the fogs, was made the most valuable capture of the voyage. I quote from the log: "At 4 P. M., a thick fog prevailing, a brig hove in sight in half-musquet shot, standing across our quarter. We hailed immediately. She answered she was the brig Ann, Captain Martin, from Liverpool for St. John, New Brunswick, cargo, bale goods, steel, card wire, and crockery; put a prize master and crew on board and took her in tow. Thick fog prevailing for several days."

"July 15th and 16th employed in taking goods out of the prize and putting them aboard the Snap-Dragon."

On August 16th, Beaufort was reached after a cruise of 76 days. The captures were of inconsid-

erable value, except that of the last mentioned brig, the Ann, which, with her cargo, was estimated at nearly half a million dollars. After being duly libelled in the District Court of the United States, Judge Henry Potter presiding, they were sold for cash at auction by Edward Pasteur and William Shepard, agents, at Newbern, beginning October 11th, 1813. The hearts of the belles and beaux of North Carolina must have leaped for joy at reading the advertisement. I copy the list of articles specified in order that you may see what kind of goods our grandfathers and our great-grandfathers and their wives and daughters wore and used. "Superfine and coarse cloth of all colors and sizes; Cassimeres, ditto; Grey, Brown and Olive coatings; Red and White Flannels; Rose and Striped Blankets, Plams, Duffels, Kerseys, Bombazeens, Bombazets of all colors; Satinetts and Rattinets of all colors; Swansdown, Striped and Figured; Prince's, Brunswick, and Benner's Cord; Flushings of all colors; Carpeting, Cambric, and Cambric Muslin, Cotton Shirting, Prints, Calicoes, Shawls, Checked and Fancy Molesdown, Plain and Silk Striped Toilenets, Bedford, Patent and Windsor Cords; Velveteens; Elastic Stockinett; Webb Braces; Cotton and Silk Laces; Men's and Women's Cotton and

Worsted Hose; Dimities, Love Handkerchiefs, Beaver Gloves, Fancy Vestulets, Sewing Silks, Boot Cord, Thread, London and Whitechapel Needles, 60 casks Card Wire invoiced at 2200 pounds sterling, 25 tons of Steel and Sheet Iron, and finally, the contents of 58 packages as yet unknown." The Ann and her furniture were sold at the same time.

Articles of the same name as most of these are with us yet about our persons and homes. Some are new to me. I have heard of Satinetts, but what are Ratinetts? I am not acquainted with Molesdowns. Perhaps they all got lost on the "Underground Railway." "Love Handkerchiefs" became obsolete before I had need of them, away back in the fifties. If a toilenet ever crossed my path, I did not recognize whether it was male or female. I can only guess that a "Vestulet" is a more becoming appellation for a modern raiment with a name, which to an old-fashioned ear has a flavor of immodesty, "Shirt-Waist." The list is comforting as showing that the fabrics which adorn the persons of the ladies of 1901 are not much more numerous and perhaps not more costly than the fabrics which aided our grandmothers in causing the hearts of our grandfathers to thump under their capacious waistcoats.

We have no means of knowing the number and the value of the captures made by the Snap-Dragon under Captain Burns. Mr. T. C. Davis, who has paid the matter more attention than anyone else, states that in the first seven months of the war, he took two barks, five brigs, and three schooners, with valuable cargoes, estimated at one million dollars. With the vessels were taken 250 prisoners for which the government paid a bounty of $10 each. The brig Ann and her cargo, already mentioned, were rated at nearly half a million dollars. Certainly, at the call of the government our worthy Captain played no unimportant part in carrying out its policy by crippling the commerce of its enemy.

The aggregate loss inflicted by all vessels carrying letters of marque was enormous. Captain George Coggleshall, himself the captain of one of these vessels, in his "History of the American Privateers," states the loss to Great Britain as 2000 ships and vessels of all kinds, not counting captures on the Great Lakes. Of these 2000, about 1300 sail were captures of privateers. Of our own vessels taken by the British, he estimates that the number was not over 500, which appears reasonable when it is remembered that we declared an embargo

seventy-five days before the war began and that a large portion of our merchantmen returned to their ports within four months afterwards and were laid up out of reach of the enemy. After six months the blockading vessels rendered regular commerce impossible.

The privateers penetrated every part of the several oceans, where it was likely that a British merchantman could be found. They cruised and made prizes in the English Channel, in the Irish Channel, in the Bay of Biscay, and along the Spanish coast, in the waters around Hindostan and Australia, among the West Indies, along the coast of South America and Africa and beyond the Arctic Circle. They not only inflicted immense losses on the enemy, but to them, as well as to the commanders of our war frigates, is due the increased respect felt by all the nations of the world for the intelligence and skill, the daring and energy of American seamen. They aided in securing the grand result that the United States was thenceforth to be recognized and treated as equal to any of her older brothers in the family of nations.

Wheeler is wrong in stating in his "Reminiscences" that Captain Burns was captured with the

Snap-Dragon. His constant exposure to drenching storms and icy blasts told even on his iron frame, and during her last cruise, excruciating rheumatism kept him anchored at port. In this last cruise the commander was Lieutenant DeCokely. On the 29th of June, 1814, she was carried into Halifax as the prize of the British man-of-war, the Leopard. She had sailed from Ocracoke on the 28th of the preceding month. The lieutenant was experienced and capable but he doubtless lacked the nautical genius of Burns. Perhaps the Snap-Dragon resembled the woe-begone Lady of Orange, who married a bad husband. She accounted for her bad fate by saying "that she was snared into it."

We will now briefly trace the career of Captain Burns in times of peace.

About the close of the war, Captain Burns married Miss Jane Hall, of Beaufort, and lived there in a handsome residence for twenty-two years. He renewed his old calling of ship-building, using the staunch old live oak timbers from Shackelford's and Bogue's banks. About 1820, be built for a Wilmington company the first steamer which ever plied between Wilmington and Smithville, now Smithport. The captain was Thomas N.

Gautier and the engineer John Snyder. The signals were given by a trumpet, and it is handed down that when more speed was desired, the captain shouted down: "Give it to her, Snyder." This expression was admitted into the language of cant and has hardly died out at this day.

Shortly afterwards, Burns built the brig Warrior and afterwards the brig Henry, both being in the coast-wise and the West India trade. He also constructed a small two-masted sail-boat, the swiftest of the Sounds, and named her in honor of his beloved old fighting-vessel, the Snap-Dragon. He put in her a center-board, the first ever heard of in that section. He, however, did not confine himself to private business, but found time to represent his county in the General Assembly, which then held annual sessions. He was a member of the House of Commons, in 1821, 1822, 1824, 1825, 1826, 1827, and of the Senate in 1828, 1829, 1830; of the House of Commons again in 1832; and of the Senate again in 1833 and 1834, in all twelve terms after twelve elections. This statement shows that he had in a marked degree the esteem of the people. When the Republican party divided into Jacksonites, afterwards Democrats, and National

Republicans, afterwards Whigs, he followed the leader most like himself in character, Andrew Jackson.

My young friend, Ivey F. Lewis, has examined, at my request, the Journals of the Houses of which Otway Burns was a member and noted his votes on the questions of the day. In tracing his course, I find that no North Carolina statesman took more independent and enlightened positions than he. His public career was at a time when the great Eastern and Western controversy was being agitated. A short statement of the causes of the controversy is necessary to understand the singular merit of the political conduct of Captain Burns.

Under our colonial government the counties of old Albemarle had five members each and those from Bath two members only in the General Assembly. In order to secure harmony, John Harvey and other patriots induced the former to agree that the State Conventions or Congresses should have five delegates from each county. When in the darkest hour of the Revolution, the Constitution of 1776 was formed, the public danger swallowing up all minor questions, the people of Albemarle surrendered the representation they had enjoyed for one

hundred years, and consented to equality with the others, that is, one senator and two Commoners from each county and a commoner each from six boroughs.

Of course this arrangement was to the advantage of the small counties of the east, but for some time the only serious effect on legislation was the taxation of land by the acre, a $20 eastern acre, rich in corn, paying the same as a ten cents middle or western acre, rich in jagged stones. This inequality produced little discontent because the rate was only six cents on $100 worth.

The General Assembly thus constituted had almost unlimited power. It could tax some articles and not others and that without limit. There was no restraint whatever on its pledging the credit of the state. It elected the governor and other executive officers for one year only and controlled their salaries. While the judges were chosen during good behavior, their salaries were subject to the will of the legislature. It is much to the credit of our people that there was no wild action by this powerful body, that the only complaint was as to their strict economy.

As all the smaller counties were in the eastern half of the state, eastern land-holders controlled the

General Asembly by a two-third's vote. This control they determined to retain. Whenever the necessities of the west required a new county, its creation was either refused, or delayed or accompanied by the creation of a new western county.

In 1776, the Senate stood 27 eastern to 8 western members; counting the borough members, the House stood 58 to 20. In 1777, were created three eastern and two western counties; in 1779, five eastern and five western counties; and so on. Between 1776 and 1835 there were 17 new western and 16 new eastern counties. The west had one advantage and that was obtained largely by the independence and love of fair play of the sturdy old privateer, Otway Burns. In 1827, the vote for Macon County stood 63 to 61, and he was one of the 63. In 1822, his vote was cast for the county of Davidson. In 1827, he favored the establishment of Yancey County, the vote being tied, 62 to 62. The speaker voted Aye, but the measure was lost in the Senate. In 1833, in the Senate, Yancey was created by 33 to 28, and so grateful were the people of the new county to Burns, that they named their county-seat Burnsville in his honor. He likewise favored the erection of Cherokee, in 1828, (63 to 61) eleven

years before it was admitted into the family of counties.

Matters in the General Assembly went on for some years after the Revolution in an easy, somnolent, way. The war of 1812 aroused the members to the extent of taking land according to the value, instead of by the acre. But the time was approaching when Governor DeWitt Clinton, with many great men of the state of New York, travelled in a canal-boat eastward from Buffalo, and, being towed through New York harbor, amid deafening shouts from the throats of men and screams from the whistles of engines and bellowings from the mouths of cannon, poured water from Lake Erie into the Atlantic. Thus was the marriage of the lakes and the ocean solemnized.

The spirit of canal building spread with the intensity and rapidity of a prairie fire. In North Carolina there were wild dreams of navigating our streams nearly to their sources. Raleigh was to receive the vessels of Pamlico Sound up Neuse River, up Walnut Creek, up Rocky Branch to the crossing of the Fayetteville Road. Boats were to ascend Cape Fear and Deep Rivers to the Randolph Hills. The produce of the Yadkin valley from the

foot of Blowing Rock was to cross to Deep River and be exported from Wilmington. The puffing of steamboats was to be heard on the head-waters of the Catawba and the Broad. In vain Carney Cotton, a Commoner from Chatham, told the House that after dry weather a terrapin could carry a sack of flour on his back from the hills of Guildford to the landing at Fayetteville, right through the middle beds of the rivers, while not a drop of water would dampen the flour. Such prudential counsels were unheeded. When the salary of the governor was only $1500, our staid ancestors imported from Scotland a civil engineer, Fulton, at a salary of $6000 in gold to begin the good work, and the western members clamored for appropriations in money or in bonds by the state to save the tribulations of four-horse wagons rumbling over jagged rocks or splashing through mucilaginous mud. They had gold-tinted visions of Asheville, Morgantown, Raleigh, Wilkesboro, Asheboro, Louisburg, Rutherfordton, glistening with the white wings of commerce.

A few years afterwards, when the canal fever had been cured in part, at least, it was replaced by by the railroad fever. At last, distance was to be partially annihilated and the different sections made

near neighbors. The western counties became clamorous for the state to open her treasury and to provide these swift and easy highways. The eastern counties having navigable rivers through their borders, or of convenient access, sat heavily on the treasury box and answered every appeal with emphatic Noes.

This difference of interests fired the minds of the western people with indignation against the inequality of representation in the General Assembly. They began to assert with wrathful intensity that the state government was under the control of an oligarchy of landed wealth. They proclaimed with eloquence the injustice of Green with 432, Camden with 394, Carteret with 364, Chowan with 329, Jones with 261, Currituck with 138 votes, having the same weight in the Senate and in the House as Buncombe with 1344, Burke with 1360, Rowan with 1594, Surrey with 1755, Wilkes with 1765, and Lincoln with 1929 votes; four freemen from one locality not having as much weight in the government as one in another.

An active agitation ensued for calling a Convention to redress the evil. It goes in history under the name of the eastern and western controversy.

It was of such bitterness that even so prudent a man as Governor Swayne, a citizen of Buncombe, warned the east that there was danger of the west rising in its might and pulling the pillars of state down with a ruinous crash. After long discussion the Convention of 1833 was called and the evil partially remedied. The measure was passed by a few bold and independent eastern members, who were convinced of its justice, and were willing to sacrifice their local popularity for what they considered to be right in itself and for the best interests of the whole state. Prominent among these, among whom was the great Judge William Gaston, was the fearless and independent sea-captain, Otway Burns. Their action led directly to the restoration of harmony and eventually to the development of our state by building the iron highways from north to south, from east to west, throughout the borders.

By this patriotic course, Burns sacrificed his popularity. His legislative career ended with the senate of 1834. And when the amended constitution was passed on by the people the county of Carteret repudiated his action by 322 to 32, over ten to one. Other eastern counties were even more rabid. The constitution in Hyde obtained only two votes, in Tyrrell only one, in Bladen six, and

in Brunswick the negative was unanimous. But in the west the approval was shown by such majorities as in Lincoln 1887 to 42, Rowan 1570 to 24, Buncombe 1322 to 22, Wilkes 1757 to 8, Surrey 1754 to 4, Burke 1359 to 1, and Yancey with its county-seat of Burnsville, rolled up a vote of 564 to nothing.

Captain Burns showed that he was superior to the prejudices of his section in other ways. He favored all measures looking to internal improvements, such as clearing out of Cape Fear below Wilmington and making navigable the Cape Fear and Deep Rivers, draining Mattanuskeet Lake, aiding the construction of a turn-pike road from Fayettesville to Wilkesboro, granting charters for railroads, and draining the swamp lands. He opposed all propositions to cripple the work projected for improving our rivers. He favored measures designed to favor our agriculture and manufactures. He aided in carrying against strong opposition the bill making appropriations for rebuilding the Capitol in place of that destroyed by fire in 1831. He opposed efforts to cripple the Supreme Court, which, having been recently established, had not then the strength in popular estimation which it

afterwards acquired. And those who had made an ineffectual effort to give debtors a homestead, a beneficent provision forty years later placed in the constitution.

He displayed conspicuous courage in other directions. He refused to court popularity by favoring the election of Sheriffs and Clerks of the Court by the people. When the notorious Bob Potter started a crusade against the Banks of the state, which were then the subject of much popular odium, he declined to join in the persecution. And, finally, he could not be drawn into the rapidly growing prejudice against free negroes. He voted against the prohibiting those of other states from settling in North Carolina. And he favored a bill allowing slaves to be emancipated by their owners. On the whole, in legislative bodies in which sat such men as Bartlett Yancey, Montfort Stokes, John Owen, James Iredell the younger, William Gaston, John M. Morehead, John L. Bailey, David F. Caldwell, Charles Fisher, and others like them, as a broad-minded, fearless, intelligent member, the old privateer and ship-builder, Otway Burns, was the equal of any. By doing his full duty in arduous positions in war and peace, and by his services to the

United States and to North Carolina he has earned a right to a place in the Portrait Gallery of the state.

In the course of my investigations into the career of Otway Burns, I must admit that harsh words have been said of him, usually in connection with his privateering ventures. I have come to the conclusion that this traditional opinion is unjust; that it is founded on two misconceptions, both engendered and propagated by hot party spirit. The Federalists who disapproved the war, visited all acts of the administration, including the sending forth privateers, with hot displeasure and calumnious epithets. Then again, when in opposition to nine-tenths of his constituents, he sided with the west, and gave votes which they deemed fatally injurious to their interests they poured forth the vials of their wrath upon him. Time has shown that he was right, and I believe that in his political course he was actuated by honest motives. I remember distinctly that my father, the late Judge William H. Battle, who was a commoner from Franklin in 1833 and 1834, when Burns was Senator, spoke of him in high terms, especially praising his independence and freedom from demagoguery, coupled, candor compels me

to say, with the disposition to answer supposed insults with the strong argument of ponderous fists.

After his legislative career was over, Captain Burns, his fortune having been impaired by the financial crisis of those days, received from President Jackson the appointment of Keeper of the Brant Island Shoals Light Boat. This was not far from the village of Portsmouth, then a port of entry, with a population of about 1000. He removed his residence to that place and there the old seaman lived a tranquil life until his death on October 25th, 1850. He was buried in the beautiful cemetery of Beaufort under his favorite live oaks. Recently a cannon, said to have been on the Snap-Dragon, was placed over his grave, with appropriate ceremonies, Judge Walter Clark delivering an able and scholarly address.

Captain Otway Burns was thrice married; first to Miss Grant daughter of Reuben Grant, of Onslow, executor of his grandfather's will; second to Miss Jane Hall of Beaufort, in 1814; and third, in 1842, to Miss Jane Smith of Smyrna, in Carteret County. His only child was by his first wife, born in 1810, a captain in the United States Navy, who

after service on the Atlantic, Mediterranean and Pacific, resigned in 1840 and died in 1869, Captain Owen Burns.

Captain Owen Burns married Miss Martha Armstrong, daughter of Solomon, and granddaughter of Gen. John Armstrong. The only living descendants of Owen Burns are his seven sons, a daughter and ten grandchildren.

1. I. R. Burns, who resides in New York City and Daytona, Florida. He has an only daughter Bessie Burns Hulse.

2. X. Eugene Burns, a fruit grower in Santa Clara Co., San Francisco, California, who has an only daugher Eugenia Stewart Burns.

3. Richard Burns, who resides in Chicago, has an only son Grindall Jerome Burns.

4. Charles O. Burns, President C. O. Burns Co., New York City.

5. Walter Francis Burns, of Inwood, New York City, Vice Pres. and General Mgr. of the W. F. Burns Co., has two sons Walter Francis Burns, Jr., and Otway Burns.

6. Edwin Oscar Burns, San Francisco, Cal., who has a daughter Martha Burns and a son Owen Burns.

WALTER FRANCIS BURNS

7. Owen Burns of the W. F. Burns Co., who resides in Chicago.

The only daughter Lillian lives at Inwood, New York City and is married to John Anthony Wilkens, of Rotterdam, Holland. They have an only child a charming young lady of four, Theodora Waltona Wilkens.

Divers great-grandchildren of the old privateer bid fair to insure that his blood will continue red and lively as long as our Ship of State shall be manned by men of active brains, brave hearts and strong hands.

In conclusion, I do not claim that my hero was a shining light in the church or appropriated to himself all the cardinal virtues. But he had strong virtues. He was brave and honest, faithful to his trust, and kind of heart. He was largely generous both in his prosperity and in his adversity. His long service in both branches of the legislature shows that he had the confidence of his neighbors, not alone of the poor, but, as only land-owners voted for the Senators, of the rich as well. And we can now see that this straight-forward sense of justice aided in settling dangerous questions and advanced the prosperity of the state. At the call

of the government he did his full duty in arduous and dangerous service on the sea. Let us then hold in honor the bold warrior and wise legislator, Otway Burns.

LOG OF THE CRUISES OF CAPTAIN OTWAY BURNS AND THE SNAP-DRAGON.

Chapter I.

DURING the year 1812, Otway Burns commanded a merchantman, which sailed from the port of Newbern, N. C., to Portland, Maine. Whilst on his voyage and before he reached Portland, war was declared between Great Britain and the United States. Commercial intercourse being at an end Captain Burns determined to render all the assistance in his power to his country, and to second in a private capacity the gallant and glorious struggles of our infant navy.

At this time several privateers were fitting out at Portland to cruise against the enemy. A company of persons proposed to Burns to purchase his vessel and convert her into a privateer, upon condition that he would take command. He was not averse to the employment but thought his vessel too

slow a sailor to suit the service. He therefore declined the proposition and soon after sailed for New York. Whilst there he fell in with a schooner very well suited as he thought for a privateer. Upon inquiry he ascertained that her name was "Levere," that she was for sale at $8,000. After consultation with a gentleman who was part owner of the vessel he commanded, they sold their vessel and bought the other. They fitted her up as a privateer and changed her name to the Snap-Dragon, and sailed for Newbern. Here she was sold out in shares and books were opened to ship men for a cruise. At this time most of the influential men in Newbern were opposed to the war, and endeavored to counteract Burns' efforts. Among other expedients adopted to prevent his obtaining a crew, they tempted those who had already shipped to contract debts, and then would issue civil process for their arrest. Burns being very much provoked, gave orders that no legal officer should be allowed to board the Snap-Dragon without his permission. On one occasion six constables undertook to board without obtaining leave. The officer on duty ordered them to keep off. They disregarded his command and came along-

side. The officer then ordered his sailors to upset their boat, which was accordingly done and the poor constables were compelled to get upon the bottom of their boat to keep from drowning, where they remained until they drifted ashore. That frolick, says the Log Book, "finally broke the constables."

Another incident which happened at this time, illustrates the opposition entertained by many citizens to the war of 1812, as well as the bold and daring character of Burns. Whilst the Snap-Dragon was moored on the Neuse in front of the town, a considerable crowd assembled on the nearest wharf. In the crowd was Francis Xavier Martin, then a resident of Newbern, since a Judge in Louisiana, who hailed the Snap-Dragon and called her a "licensed robber." Burns was on board, heard the epithet and ordered his boat to be manned. He soon stood upon the wharf in the midst of the crowd. He seized Martin, dragged him to the water's edge and threw him into the river, when the ardor of his patriotism soon cooled to civility. Whilst in the water he begged Burns to pardon him. Upon being released he and his associates dispersed in confusion.

Finding that he could not complete a crew in Newbern, Burns sailed for Norfolk. The privateer Revenge, was also at that port for the same purpose. In a few days both were ready for sea, and it was agreed by their respective commanders to cruise together. They weighed anchor and passing through Hampton Roads sailed down the Chesapeake.

Chapter II.

Shortly after the vessels were clear of the Capes a sail was descried on the weather bow, and a signal was made from the Revenge for a chase. The Snap-Dragon was immediately under a press of canvas and in two hours was several miles to the windward of her companion. It was soon ascertained that the chase was an armed vessel and all hands were called to quarters. Whilst in port, some of the crew of Snap-Dragon in the language of her commander represented themselves to be the bravest fellows in the world, and if they might be believed, could make each a meal of an Englishman. Captain Burns having never seen a hostile shot fired, was by no means disposed to brag until he had an opportunity to make a trial of his nerves. Now, when the moment of trial seemed to be at hand, some of those men who had been very brave in port, turned pale and asked Burns if it was not best to wait for the Revenge to come up. He made

no reply, but stood on his course. When in gun shot distance, the chase fired a shot to leeward and hoisted American colors, proving to be a Baltimore privateer.

The Snap-Dragon still continued in company with the Revenge, and in a few days made two sail to windward. Again the signal was given for chase. The Snap-Dragon was soon alongside the stranger and fired a gun, whereupon they hove to. Captain Burns sent a boat aboard to examine their papers, and ascertained that both were Spanish vessels and being neutrals were of course permitted to pass unmolested. It was upon this occasion, as before, with these very brave fellows among the crew: their fears magnified each vessel into a man-of-war, and it was whispered among them that the "fool of a boy (Burns) would send them all to prison or the devil, by imprudently running alongside a strange vessel before he knew what she was."

The two privateers had now been in company for some eight or ten days, but Captain Burns having by this time ascertained that his companion was a slow sailor, concluded to separate. He accordingly did so. The very next day, cruising alone, he fell in with two British men-of-war, a

frigate and a sloop. The day was fine and they gave chase to the Snap-Dragon: it was fruitless however for the Snap-Dragon had the heels of both and using them, she soon, in the language of Captain Burns, bade them adieu. The chase though short was interesting. It was the first time that the speed had been decidedly tested, and the result confirmed Captain Burns' judgment and raised the spirits of the crew. The two best qualities of a privateer are speed and spirit, and both are equally important. The speed of the Snap-Dragon was already ascertained: of the spirit the sequel will more properly speak.

Having escaped an unequal encounter with the British vessels, Captain Burns resumed his course, and in a few days encountered a British ship of 14 guns. It was late in the evening when the sail was made, and soon after night-fall the Snap-Dragon was alongside. Burns fired one gun and the enemy surrendered, being the first prize.

For some days after this adventure the weather was very fine and the Snap-Dragon moved pleasantly and sleepily over the waters. The pause of adventure allows mention of a little incident, which illustrates what has ever been remarked, the intimate union of the braggadocio and the coward.

One Thompson, holding in the Snap-Dragon some subordinate post, had already thrust himself frequently upon the notice of the Captain as the noisiest of the crew, vaunting constantly, in the absence of danger, of his daring, and when it was presented complaining of the imprudence of Burns in encountering it. After the capture of the British vessel mentioned above, Thompson, as usual, was gasconading in the hearing of the officers who were assembled on the quarter deck, and in language which savored of mutiny. He was interrupted by Burns who told him he wearied of his bragging, that he observed he was always loudest in peace, and stillest in peril. Thompson of course went into a net, and said that Captain Burns felt safe in using such language being his superior officer, but would not dare to do so if ashore and on equality. Captain Burns told him that he waived all distinction of grades, and called upon the other officers to witness that he held himself in this particular on an equal footing with him. and further he told Mr Thompson that under the circumstances he considered it important for the discipline of the vessel to administer to him with his own hands "a genteel flogging," and that he was at liberty to defend himself. Thompson submitted

and Burns chastised him with the end of a rope.

If you should incline to consider the conduct of Burns rather harsh in this instance, you will please consider the nature of the service—demanding the strictest subordination and the most intrepid spirit. What followed will at least show that Thompson deserves none of his sympathy. It so happened that during that cruise Thompson was put ashore at St. Matthews on the Spanish main, declaring that if he ever met Burns, he would kill him. He did not return to the United States until after peace was restored, and by a singular coincidence the first man he met upon land was Burns himself. He did not pursue his purpose of revenge, but on the contrary begged Captain Burns not to mention what had passed. In relating the adventure now, Captain Burns acts upon the principle that the moral is worth more than the man.

In a few days the Snap-Dragon made the island of St Thomas, which was in posession of Great Britain, and at night a boat was despatched to reconnoitre the harbor, which reported that several vessels, ready for sea, had dropped out. It was too late after the return of the boat to cut them out that night so the Snap-Dragon hauled off to the windward of Buck Island, intending to cruise near

the harbor the next day. With this view she was disguised, but at daylight the first objects descried by Captain Burns were five British men-of-war, three dead to windward, and two leeward. The "Garland" frigate was in gunshot distance; and in fact such were the relative positions of all towards one privateer, that they could not have been improved if they had been chosen with a view of capture, instead of being as they were, purely accidental. Captain Burns first tried to deceive the enemy by hoisting colors, but John Bull was wide awake. The Garland fired a 32-pound shot at the Snap-Dragon, which came near striking the hull, and immediately set skysails and made a signal to the other men-of-war to join in the chase. The condition of the privateer was perilous, and soon her top hamper was up, and every sail set to the best advantage. The only possibility of escape, was through Sail-Rock passage, which was some forty miles distant, dead to windward, and to make the point, three of the enemy hovering upon her direct course, was of extreme difficulty. Indeed escape was hopeless, unless the enemy could be deceived by some manœuvre. With that sort of decision which distinguishes the man of genius, and that presence of mind which marks the man of

courage, Captain Burns adopted perhaps the only expedient which could have succeeded. It was this: To put the Snap-Dragon directly towards the Rock, which gives name to the passage, so that the enemy could not anticipate on which side she designed to pass. The chase immediately opened in good earnest, and our little privateer, pursued by five British men-of-war, may not inaptly be compared to a fox chased by a pack of hounds in full view. Captain Burns so shaped his course as to get all the Garland's sails to draw on one mast, which gave his vessel a great advantage in sailing. Nevertheless, the frigate kept for more than two hours in gunshot, during which the shot continued to fall around the Dragon, and although without effect, still so near as to throw the spray upon the officers. When they approached the rock, the Garland made signals to her companions to cut off the Dragon when she hauled up to choose the passage. Two brigs accordingly got into the passage with the object of intercepting her. Now came the rub; Captain Burns made all of the men lie down and took the helm himself. The brig Sophia was nearest the privateer, and when she came abreast discharged at her a broadside of grape and round shot. The fire was harmless, and such was the hurry of the brig to repeat her fire,

that in doing it her forward bulwark was shot away. The crisis was now over. In a few minutes the Dragon had all five of the enemy on the wind, and was quite out of gun-shot, "walking upon the waters like a thing of intellect." As soon as he was well to windward Captain Burns tacked ship, hauled up his foresail, displayed his colors, and fired a gun by way of defiance and farewell. Night at length interrupted the pursuit.

At daylight the next morning a sail was made on the lee quarter, which proved to be his Majesty's ship Dominick. She gave chase to the Snap-Dragon and ran her down to the passage, and then abandoned the pursuit. During the chase the wind blew so fresh as to carry away the jibboom and two topmast stays of the Snap-Dragon.

After this Captain Burns beat up to windward and cruised about the island of St. Croix, where he made several small captures.

Intelligence of Captain Burns' movements reached the island of St. Thomas, where his Majesty's brig, The Nettler, of ten guns, was in harbor. One morning found the Snap-Dragon about forty miles from Tortola under easy sail, when she made a sail to windward, running down upon her, which

proved to be the Nettler. Her force was known to Captain Burns, and when some of his officers proposed to run from her, he, aware that he had more men, and there being little disparity in size, and withal being (in his own language) tired of running, scouted the idea, and prepared for action. The Nettler came rapidly down under a full press of canvas. "All hands to quarters" was the order of Burns. When the Nettler came within about two miles, she changed her purpose of attack and, taking in her light sails, hauled dead by the wind. The Snap-Dragon immediately started in pursuit, and chased her into the harbor of Tortola, the race continuing from 6 A. M. to 6:30 P. M., at which time the Snap-Dragon was within half gunshot of her. The Nettler passed under the guns of the fort at dusk and anchored. Such is the position of the fort that a vessel may pass by it and go out another way. Captain Burns hoisted English colors and passed the fort. It soon became very calm and dark. The Snap-Dragon lay abreast of the town about a half mile distant. Some of the officers being well acquainted with the harbor and town, the boats were manned in order to take some of the vessels there anchored if possible. The boats pulled in to a point only a hundred yards distant, which was covered as

they thought upon a near inspection by a flock of sheep, but which turned out to be a battery, the guns of which were painted white. Passing the battery undiscovered they approached a vessel at anchor. Quietly they pulled alongside, and visions of prize money were already passing through the imagination of the crew, when a hail followed by a volley of musketry informed them they had gotten hold of the wrong customer. It proved to be the Nettler. Her crew were evidently prepared for their reception. The town was in arms, and sky-rockets were traversing the heavens in every direction. Under these circumstances it was considered advisable to retreat. A light was hoisted on board the Snap-Dragon to guide them in retracing their steps. The light discovered her position to the battery, which opened upon her immediately. Burns, extinguishing his light, returned the fire with his long gun, which enabled the boats to find him. He then ceased firing, ran out his sweeps, and in a few minutes was out of danger. But Burns thought it would never do to take so much trouble for nothing, and he came to the conclusion if he could not get a prize he would at least get some fresh provisions. He therefore ordered a boat to be manned and went ashore to a plantation. Filled with sheep, poultry and vegetables she returned to the privateer, and by daylight the island was twenty miles distant.

CHAPTER III.

We left our gallant navigator at the epoch of his escape from the harbor of Tortola, twenty miles at sea rejoicing in his might. That day we fell in with and captured an English vessel bound to Santa Cruz; she had on board between forty and fifty Guinea negroes and some other articles of merchandise. We took out of her seventeen or eighteen of the blackest, who were very anxious to go with us, and released her to pursue her voyage.

Some days afterwards while cruising off Santa Cruz, we sent in a boat and cut out a schooner; her crew had already left and she was loaded only with mill timber and was not considered worth manning, so she was burnt. The Snap-Dragon then went into a small harbor on the south side of Porto Rico, named Ponce. This was a neutral point or port belonging to the Spaniards. We were very kindly treated, for the Governor gave us permission to fill water and get what stores we might want.

We sold dry goods and some other articles to pay for what we got; bought a very fine long nine of the Governor and in four or five days were ready to go on our cruise again.

We shaped our course with an English packet; we exchanged some shot with her, but were forced to give up the chase on account of the rough sea. Here we encountered a tremendous gale, which lacked but little of proving fatal to the Snap-Dragon. We were to the windward of the Gulf of Mexico when it came down on us; she lost her jibboom and started her cutwater; we lay to under sail; Burns never left the deck the whole night, for she wanted watching by such a man as he was, and there was no man on earth that could manage her like him. At four o'clock he called one of his best officers, and giving him charge of the deck, went below to refresh himself a little. In a few minutes the wind had shifted two or three points and brought the Snap-Dragon in the trough of the sea; still the officer of the deck did not see her danger, till a tremendous wave knocked her on beam ends, filled the waist with water and set some of the guns adrift. Burns was on deck in an instant and proved himself equal to the crisis; the guns were secured and as soon as pos-

sible the vessel wore round and got on the other tack; the pumps were sounded and three feet of water found in the hold; they were immediately manned, but it took two hours of hard work to pump her out. When the daylight came it was found that the plank sheer had started more than thirteen feet, so that you could put in your finger. As luck would have it, the gale now moderated, and our good bark was saved. I am as certain as that I have a soul to be saved that if it had not been for Burns, the Snap-Dragon and all her brave crew must have gone to the bottom; for if she had not been gotten on the other tack she would have sunk in fifteen minutes; all the leak was under water and wearing her was the only way to bring it above the waves.

Now we bore away to Maracaibo to repair damages; but we put into a small harbor where were only a few fishermen. We had on board two very good carpenters and plenty of tools and everything that was wanted. From where we lay to the Governor's house was three or four miles and the commander had to go there to get permission to repair. The carpenters set to work with a will and all hands helped, so in three or four days we were all right and tight again. Meantime the Governor paid us

a visit and was treated as well as the nature of our circumstances would permit. We were invited in turn to dine with him.

Having learned from the fishermen that some seven or eight sail of English vessels were up the gulf, trading with the Spaniards, we got under way and stood out after them. There was a fine breeze at eleven A. M. We fell in with five of them altogether; they soon separated like a covey when a hawk darts in among them, but we succeeded in capturing three, one ran on shore and the other escaped. The prizes were principally loaded with dressed skins and dry goods; we took on board the greater part of the cargoes; gave two of the barks to their original owners; manned the other and ordered her to the United States.

Some days after this we fell in with four sail of large ships, all in company; the Snap-Dragon was to windward and bore down on them till our commander was satisfied one of them was a man-of-war; he was in disguise, had his fore and mizzen top gallant mast struck, and a good many old black patches on his top sails. All the others kept well under his lee; there was a spanking breeze and we just hauled off from him, dead by the wind. Now some of those

cowardly officers began to grumble, and said they were all merchantmen; you will always find such fellows, plenty of them, anywhere, ready to get in a scrap and never know how to get out. After a little Burns got angry and told them he had as many friends in British prison as they had and was just as willing as they were to pay them a visit like, and he now would show them he was not deceived in the stranger, so he ordered her helm hard aweather, and hauled in our weather braces; now says he, "I hope I see some of your bravery," but soon you might see some of their fierce countenances change. The chase kept on their course, as near the wind as they would lie, the Snap-Dragon ran down till everybody was thinking the ship would not fight. Our shot had struck him several times, but he never replied; all he wanted was to get us close alongside and then make a sure business of it; but Burns ordered his vessel hard by the wind; just then the man-of war seemed to think it was his only chance and he did show his teeth and let us know he could bark and bite, pretty savage. He gave us a broad side of grape shot and canister, but it did not hurt us and only cut some holes in our sails; he then put up his top mast, set a press of sail, and we soon perceived

that he was a first-rate sailer. The Snap-Dragon had just such a breeze as we wanted, and we eat the ship right out of the wind, but before she reached on us, both were heading into the land, and as the wind increased we had to furl top gallant sails, single reef topsails and take the bonnet out of the fore sail. It was pretty tight times, the wind blowing big guns, the sea breaking over us, and a dangerous looking stranger walking right in our wake; he had by this forereached on us four or five miles, but we were to windward. When we got pretty near to land he tacked ship and a squall came off which favored him, so he headed to windward of our bow; the wind still increasing we were forced to furl top sail. Now came the rub which was to weather, the Snap-Dragon or the ship. Burns had sent all of his men below except just enough to work the vessel; some of the officers wished to keep the Snap-Dragon away from the wind, but he paid no attention to anything they said; he knew his business too well for that, for the ship would have been alongside in a jiffy. Men and officers were all packing up their baggage to go aboard the stranger, for we made certain we were all ticketed for a free passage to England. As good luck would have it, just at the scratch as the

two vessels were meeting, the wind favored the little Snap-Dragon, and she weathered the ship three hundred yards off. Just as the ship got abreast us, he up ports and gave us another broadside of grape and canister. Burns had the helm himself, the men all lying low, and as the ship fired it apperared the Snap-Dragon dived like a duck, so that nearly all the shot flew over us; only four or five struck our sails.

"Now boys," says our commander, when he saw that none of our spars were gone, "now we are safe." We were so near the ship you could tell the officers from the men, and almost hear the commands they gave. Before he could get another at us we flew by him; we were heading on one tack and he on a different one, so he attempted to tack and missed stays; at the same time the Snap-Dragon split flying jib, and carried away two back stays, but we repaired them without loss. Burns was determined to make short tacks, dead to windward; he knew the Snap-Dragon would not miss stays, and he found in such a gale the ship would catch him on long tacks; again he ordered her in stays, and round she spun beautifully, hard as it was blowing, and she buried in the waves. The ship had now just got on the

right tack, but we shot by him again a little further than before; he paid us his compliments at parting, but it was impossible to hit our hull, for that was almost under water. Towards night it moderated a little and we put on more sail; at sunset the Snap-Dragon was more than two miles dead to windward; dark came on and that was the last we ever saw of our troublesome customer. Nothing saved us that day but the exertions of Captain Burns alone and his skill in sailing manœuvres.

A few days after we captured an English vessel from Curacoa, which gave us the information that the ship with which we had such a tight race was the Fawn, sloop of war, one of the fastest in H. B. M.'s service. She had gone into Curacoa and reported that she had sunk a Yankee privateer. I suppose he did think so, after taking three full broadsides at us; but people make mistakes sometimes on sea as well as land and some of his English friends found it so too, not long afterwards.

For some time after this we cruised off Santa Martha; we had some English prisoners on board who were very anxious to be set ashore there; so one morning the Snap-Dragon stood in about off the port. The commander told the prisoners that he was

willing to oblige them, but the Spaniards were a suspicious set of people, and that they and his crew might be taken for pirates. But after some time, a boat was manned and the prisoners and one of the officers went on shore; the Snap lay just out of gun shot from the fort. It began to get late in the afternoon and no boat appeared; our commander grew more and more uneasy, and more certain something wrong was the matter. He did not intend to go in the Snap-Dragon, but finally concluded to send another boat and a copy of his commission; as soon as she arrived she too was taken and hauled up alongside of the other one; the officer and his men were marched off to prison where they found their comrades. The reason why they had detained the boats and their crews was, they said, that they thought we were all pirates, and they would not give them up until the Snap-Dragon came in and showed her proper commission. After a great deal of palavering they agreed to let the last boat come off with only the officer on board; it was now nearly eight o'clock at night. To go off and leave our men in prison looked very hard; and if the Snap-Dragon went in we did not know but they might take her and all the rest of us. It was finally resolved never to leave the coast until we got our men or had satisfac-

tion. The moon shone as bright as day, and they could see us very plainly from the fort; so we stood off as if we had finally gone, and next morning we were so far to leeward they could not see us. A little after sunrise there came out one of their feluccas, bound down to Porto Cabello, carrying one hundred men and some guns to fortify the place. As soon as she got well out from the fort the Snap-Dragon made sail in chase; we soon overhauled her, fired a gun and made her heave to; ordered her captain on board the Snap-Dragon and told him if he did not go ashore and bring off our men and boat, we would hang every man of them. We rigged two gallows at yards arms and allowed him two hours to do as we bid; his boat was soon manned, and in less than the time we gave him our men and boat were on board. There never was a set of men worse frightened than these Spaniards, and if that plan had not been adopted we never should have seen our men again.

We now began to get down to Carthagena for a supply; so we bore away and next morning fell in with three sail. We bore down on them, fired a gun and displayed our colors; they proved to be a Spanish brig of 12 guns, a schooner of 8, both guard

coasters, and an English vessel. They all showed their colors, and the brig fired a shot just ahead of us; in a moment we beat to quarters, bore down on her and demanded of the captain what he meant; he replied that the English vessel was under his convoy and he should protect her; Burns asked what right he had to protect her, as the United States and his government were at peace, and the Snap-Dragon was commissioned to take all English vessels she fell in with three leagues from land, and this one was not even in sight of the coast. They had some high words, but the Snap-Dragon took possession of the Englishman, put a prize master and twenty men on board, and ordered her to keep company. Next morning we took out of her a considerable amount of goods, and ordered the master to keep off the port and not to come within three leagues until we came out. The commander left so many men in the prize for fear some of them might desert if they got a chance. We went into Carthagena and immediately got permission to fill with water. Everything was going on well until that cowardly rascal of a Spaniard, the captain of the brig, went into a little port to the windward of Carthagena and reported that we had fired into him

and captured the English vessel; all unknown to Burns. Immediately there were three gun boats sent out in search of the prize; they found her where we left her, and before they got in close gun shot, Spaniard like, began to fire on her; the prize master was a brave fellow and silenced the whole three. By this time our commander found out what was going on and despatched a boat and five men, with instructions to the prize master. The cowardly rascals had now got two more boats, and they met and captured our boat; they then met and captured the prize and forced her to surrender; they brought her in, put all the crew in irons and threw them in jail; there was as much fuss among the heathen devils as if they had captured a line of battle ship. Here we were then, in a nice pickle; the Snap-Dragon under the guns of the fort, surrounded by their men-of-war; no consul and no friends; now what was to be done? The first thing was to find out the cause of all this; they said we had fired into the king's brig and had captured the prize, in less than three leagues from land; All this was a lie the Spaniards told that they might get the prize, which was proven by the English crew. After keeping us there three weeks by bribery we got them to give up the prize and release our men. They robbed the vessel of

everything they could lay their hands on, among which was $15,000 in doubloons that we knew nothing about until it was too late, or that would have been taken on board the Snap-Dragon too. They robbed the men of everything they had and while they were in prison two of them died.

There was one thing happened that I shall not soon forget. While we were laying there, the Spanish brig had come in and anchored about 150 yards from us. One of our men had tried to run away and he was put in irons; he contrived to get word to the Spaniard that he was a Spanish subject and claimed his protection; so one day the Spanish captain came alongside and demanded him. Some very high words passed between him and burns, who was on deck; the Spaniard drew his sword and Burns caught up a boarding pike and was in the act of staving it through him, when one of our officers prevented him; and the Spaniard left in a hurry. The whole affair did not cost the stockholders of the Snap-Dragon less than $20,000, besides her detention.

There were fifteen or twenty sail of English vessels in the harbor when we first got clear; when we were already to sail they petitioned the Governor to

have an embargo laid on us until they could get out; this was granted them and we were detained a week. After we did sail we hovered on the coast some days in hopes of meeting the brig that had given us so much trouble, in which case it would have been doubtful if she would ever carry any more lies; they had told enough to sink her anyhow.

We cruised for some time between Carthagena and Jamaica; one night we fell in with a Spanish brig; the boat's crew that boarded her happened to be some of the unfortunate men that had been in the Spanish prison. While the boarding officer was below examining the papers, some of them fixed a gallows and got a rope around one of the Spaniard's neck; they were just in the act of swinging him off when the officer interfered; he hailed us and said our men would hang every Spaniard on board; so they had to be immediately recalled; and no one of them who had been in the prison were after this permitted to board a Spaniard.

We ran down a small island on the Spanish Main, settled principally by English; the population was about seven hundred and more than three-fourths were blacks; this little spot, Providence, is one of the prettiest I ever saw; they raise nothing

but cotton, plenty of cattle, poultry and hogs, and some little breadstuff for their own use. The harbor is a very fine one, had no fort, and from the road where we lay to the shore is not more than two hundred yards. The head man of the island was as clever a gentleman as I ever saw; he furnished us with everything we wanted and we paid him his own prices, which were very reasonable. If we had gotten there only one day sooner, we should have gotten a fine prize, for a few hours before we arrived a pirate went out and it was reported that he had a large quantity of specie on board; he had stolen some slaves and cattle from the inhabitants. The commander let one-third of the men go ashore at a time to recruit themselves; the first party behaved very well and returned at the time appointed; the second found out an old lady who lived up on a hill, and she had spirits to sell; but they did as well as the others. There were four or five Irishmen in the last crowd, and one of them was the sergeant of marines, and a saucy scoundrel he was. The Snap-Dragon by this time was under sailing orders, fore-top-sail loosed and a gun fired as a signal; the first luff had been sent after the men and they refused to come; they said they had not gotten their frolic out, and if the luff interfered they would heave him

down the hill; back he came with the news. Burns, without saying a word, threw himself into the boat and ordered them to set him ashore; sword in hand he walked alone to the little pot house. The Irish sergeant—his name was Plane—came to meet him and says he, "Captain, now that I am ashore I am as good a man as you are;" without a syllable Burns cut him down; three or four more came up, but he cut and thrust among them until the blood ran in streams. He brought them all down to the boat in front of him, and in less than an hour they were on board the Snap-Dragon.

That afternoon we shaped our course for Cape Antonio, and fifteen or twenty days sailed for Havana; here we fell in with an English vessel from Honduras; we took out a part of her cargo and gave her up as she was not worth manning. We now turned towards home. Off Cape Florida we had a slight engagement with the Providence, a privateer of ten guns, but she bore away and ran into the reefs, where we did not pursue her.

Next morning we made a large ship ahead; the wind was light and we saw we could not come up with her before dark. It was thought by all hands that she was an English ship from Havana, and it

was concluded that we should dog her until daylight; at early dawn we were half a mile astern; called all hands to quarters, showed our colors and fired a gun. The ship would not come to a showing, so we ranged up in musket shot and fired ahead of her; but she would not heave to. We now discovered that all hands were now at quarters, and that she mounted 20 guns, and then there were some long faces on board the Snap-Dragon. We came up on her lee-quarter and asked what ship it was. They answered "The Fernando," from Havana to Cadiz. Our commander ordered him to heave to, which he refused to do until we threatened to fire on him; finally he did so and we sent our boat on board and gave him a complete overhauling. His papers were all genuine and he was discharged.

We now stood for Beaufort harbor, North Carolina; just before we made land we spied a sail and gave chase, as we were very anxious to speak to some vessel to hear the news; the chase stood in for land; the wind was quite moderate, but we soon overhauled her, and it was quite laughable to see them make pretense they were poling when there was seven fathoms of water; all to prevent us from speaking them. We were now near Swansborough,

and the chase proved to be an old acquaintance. We both got in that evening. The Snap-Dragon had been absent more than six months; the crew were discharged and she was put into the carpenters' hands for repairs.

CHAPTER IV.

In a short time the Snap-Dragon was again in complete order. Burns superintended all the arrangements; forty to fifty men came on from Norfolk, where a rendezvous had been opened; these with what we had already picked up, made our crew complete, except a lieutenant and one or two prize masters. The agents had written to New York for a first lientenant and he was expected every day; we had been under sailing orders several days when he arrived. He brought letters from the agents, complimenting Burns upon what a fine young officer they had got for him. He was a fine looking fellow; his name was Brown. Burns gave him his instructions and sent him on board, where almost all of the crew were waiting for him; our commander intended to come on board in the afternoon, and we were to sail in the morning if the wind should permit. He found the whole crew in great confusion; eight or ten of the old hands were in irons and there were

no better men in the whole ship; one fine fellow by the name of Dick, who was a great favorite, looked at Burns as he came over the ship and began to cry. Without a word he went below and sent the steward on deck for Mr. Brown, and asked him what the matter was; he said they were noisy and saucy and that hewould tame the d—m rascals and show them how to behave; the second luff was then questioned; he said that Dick was cutting some of his monkey capers and others were laughing at him, that they had just come off and were a little merry. Burns very coolly told Mr. Brown that would not do on board a privateer, though perhaps it might do on a king's ship, and ordered him to have them released; he refused and said he would order the master of arms; "No, Sir," answered Burns, "you put them in and you shall take them out." Mr. Brown still hesitated, when Burns caught his sword and said, "Now, Sir, obey my orders or I will run you through;" and this time he was promptly obeyed. From this circumstance Burns put him down as a coward; for you never saw a tyrant but what was a coward.

That night a boat arrived from Portsmouth and informed Burns that there was a King's schooner

cruising off that place, inquiring for him, and she was coming around to Beaufort for him the next morning. At 8 A. M. we sailed; had a fine crew of 127 men, some of them as brave as ever trod deck; some of the officers were cowards though, as the reader will see by and by. The schooner had sent word by a boat to us to meet him off Cape Lookout shoals; which we took for H. R. M. schooner Highflyer. A great many persons had gone down to the Cape to see the fight, for they had heard that the Englishman had sent word to Burns. The two were meeting and when in gun-shot it turned out that the stranger was the Raleigh, a privateer from Baltimor; she went into Beaufort while we bore up for Ocracoke in search of the Highflyer. On our arrival she was gone; we cruised there a day and sent in a boat to inquire what had become of her, but she was not to be found. We now steered for Newfoundland; in two or three days sailed off the Grand Bank; made a large ship ahead; orders were given to make sail in chase, and then some of our brave officers began to show their cowardice; the ship displayed American colors and we English; we hailed and she answered, "The American ship Neptune, from Wilmington, N. C., to Cadiz." She was ordered to heave to; our officer went aboard in

British uniform and the crew as British man-of-war's men; we had a man by the name of James Smith, who knew him as soon as we laid eyes on him. Burns overhauled his papers, and told him that he must send him to Halifax; when the prize master and crew were ready, the captain told Burns that he could satisfy him he need not send him in if he would just let him go back to his ship; leave was granted and he returned with his British license. Finding all the papers genuine, we hauled down the British colors and ran up our own; Smith walked up and shook hands with the captain and called him by name and you never did see any poor devil as frightened as he was. His ship was loaded with rice and flour; after plaguing him a little while, we let him go, as we had no instructions in regard to licensed vessels; we tore up his British license though; I have heard Burns often say since that he was sorry that he did not burn the ship.

Some days after this we made three strange sails off Cape Race; after a short action a brig and a ship struck their colors; the other, a fine brig of ten guns, tried to escape; we gave up the brig we had taken, manned the ship and after several hours chase captured the runaway, without firing a gun.

She was as fine a brig as I ever saw and her cargo was invoiced at £80,000. Put one of our best prize masters and a crew on board and ordered her home; about a fortnight afterwards he bore down ten miles to windward to speak an American frigate, as he thought; by this bad management he and our prize were retaken and he was sent to Dartmoor prison, where he died.

In a few days we took two brigs and a schooner, manned one and gave up the others, as they were only in ballast; 8 A. M. next morning made a strange sail; by 4 P. M. got on her weather quarter, making her out a well-manned brig of twelve guns. She was nearly a dead match for us in sailing, but we kept in short gunshot all night and next morning a sharp conflict took place between us. Meantime the watch at the mast head bawled out "a sail" and in a few minutes the horizen was full of vessels; an English frigate hearing the firing was bearing down on us under a heavy press of sail; we hauled off from the brig and the frigate put after us; it was all in vain though, for we made two feet to his one; so he gave it up. We were now in the midst of an outward bound fleet of about forty sail, timber laden, from St. John to England under the frigate's con-

voy. We boarded seven or eight of them, but let them all go, as Burns disapproved of destroying private property; he could have burned half of them in sight of the frigate, for we could go in and out amongst the thickest of them in spite of him. Off St. John we captured and manned a brig for home; she was a very valuable prize, loaded with dry goods, but was retaken in a few days. Next day we made a ten gun brig; we came up on her lee quarter and ordered her to cease firing, which she had begun to do, and to strike her flag; this she immediately did without striking a match; she had a cargo invoiced at £10,000; before we could get her manned, the Rifleman, sloop-of-war, made her appearance; when she was in gunshot we had just got our prize ready to sail, orders were given her to set all the sail possible and to keep before the wind; the Snap-Dragon was hauled by the Rifleman and the Rifleman chased us; we had just such a breeze as we wanted, but the sloop was a first-class sailor and for some time it was impossible to say which was the better. Burns said not a word for some time, for he never suffered any one to talk to him about sailing the Snap-Dragon; the sloop had several shots at us, to no effect; the chase continued for about an hour and

she discovered she was about to lose both privateer and prize as she turned to go after the prize; as soon as he did we turned and laid the Snap-Dragon on his track. All the sloop guns were eighteen-pound cannonades, while our long pivot gun was only a twelve-pounder; we soon began to make this talk to her, while she could not get a single gun to bear on us. Burns had determined if possible that neither he nor the prize should be taken, but now the sloop wore round and chased us again; she fired several divisions of her guns at us, which only cut our sails a little. Finding she could not catch us, for we kept just out of her reach, she bore up again after our prize; we turned about and trained our long twelve on her; but as it was now very dark and the prize six or seven miles ahead, that was the last we ever saw of the sloop or the prize. By bad management and the drunkenness of the prize master she was retaken, twenty days afterwards, between Bermuda and Cape Henry; unfortunately we had not had time to take all the liquor out of her or perhaps she might have got home safe. Burns' strict orders were to run S. and E. of Bermuda, for from there to Cape Henry was a line of cruisers during the whole war; it was impossible to get in except at Beaufort and Ocracoke, and every master who dis-

obeyed him was taken and carried to Dartmoor and remained till peace; two of them died, and ten or twelve of the crew, all through drunkenness and mismanagement. It was Burns' misfortune always to have a miserable set of masters and it was strange that the agent, and stockholders, would go to so great expense in fitting out a vessel and then ship such trifling fellows; for after all it depends on the prize masters to make a successful cruise.

The captain of the brig we had taken was a noble fellow; he had never been in America and expected from what he had heard that he would have been robbed of everything he had; but all that he and all his crew claimed was restored to them; he came to love Burns like a brother and gave him a great deal of credit for outmaneuvering the sloop as he did.

On the Grand Bank we fell in with a very heavy gale; we were compelled to strike all our yards and top-masts and send our guns below. Burns was on deck all night until four o'clock and it required all his skill to save the ship; she was lying to under storm sails, the sea making a constant breach over her; he had scarcely gone below to refresh himself when the first luff called to him that he was founder-

ing; he was on deck in an instant and found the Snap-Dragon buried in the waves; he seized the helm and kept her before the wind as the only chance for safety; we had never scudded before, and all hands gave themselves up to be lost, for she was very long and so low in the water you might wash your feet out of the stern ports. In ten minutes her waist was clear of water and I never did see anything skip over waves as she did in all my life; still we knew that the first large sea that struck her, she might go down; in eight hours we were safe; the gale moderated and we got up our guns and set our yards and topmasts. I have often heard Burns say that if a vessel could scud nine knots, no sea could board her; we run ten knots the whole time we scudded; but I am well convinced that but for his superior management the sun would never have shone upon us again.

Off St. John's harbor we capeured several coasters and gave them up as their cargoes were only lumber. One morning at sunrise we made a strange sail to leeward; we bore down on her easy sail and she proved to be a schooner. When in about a mile of her Captain Fox, the Englishman we had taken, informed Burns that he made her to be H. B. M.

schooner Adonis, of fourteen guns, all eighteens; that she was well manned and advised him to haul off as soon as possible. Her main top was struck, jib boom rigged in, several bundles of hoops were lashed on her quarters and not a gun to be seen, so we took her for a coaster. Burns gave Fox his glass and told him to look again; we piped to quarters and prepared for action; but Fox swore it was the Adonis and that he had left her in St. John's not ten days before, that she was trying to decoy him and that though he was a prisoner he would be sorry to see him taken. So he persuaded us to haul off, but when we were about two hundred yards off from the Adonis, she got scared and thought we were going to board her; so she up ports and gave us a broadside of grape and canister; it was returned with a very good will and a sharp conflict ensued. In the very height of it Mr. Brown, the first luff, quit his station and ran to Burns to tell him he would be taken in five minutes; Burns broke his speaking trumpet over his head and ordered him back to his port; I wonder he did not shoot him. Orders were given to make sail on the Snap-Dragon, so she could play around the Adonis, like a cooper round a cask; after teasing her thus some twenty minutes, we hauled off to repair damages which were very slight,

four wounded and some rigging cut; Burns then sent for Mr. Brown and broke him for cowardice, told him he was no longer lieutenant, but moved him forward; Mr. Coakley was put in his place, and thus ended Mr. Brown's career as a lieutenant.

In a few hours afterwards we chased a strange sail, which proved to be a brig of eight guns, which we captured without firing a gun; she was loaded with salt from Liverpool to St. John's; we gave her up as she was a very dull sailor not worth manning. Soon after we left, the Adonis boarded her and thus found out who we were; in the afternoon we met her again and got the news that we had killed three and wounded five of the Adonis' men; they thought we had intended to board her and we would not have disappointed her only we were short of men.

Next day off Cape Francois fell in with a fleet of English fishermen, about ninety sail, of from forty to one hundred tons; hoisted English colors and went aboard several and exchanged rum for fish. One old fellow came on board and examined our vessel very closely; Burns treated him very politely and invited him down into his cabin; "Well," says he, "Captain, this don't look like one of our English vessels, but don't care so long she doesn't

trouble us." He gave us some bait, so we went to fishing amongst them; we staid there nearly all day and took between five and six hundred fish. We went into a little bay to fill water; two or three miles off was a little fishing town; the Captain of Marines and twenty-five men went to town and treated. Just as we got all ready again, our look-out signaled a strange sail; we got out of the bay as soon as possible, for we were afraid it was a cruiser, as we heard there was a schooner off the cape. Both vessels were steering for each other, but as we could not make out the stranger we hauled by the wind, so that we could pass to windward until we could make her out; she proved a three-masted schooner, as fine a craft as ever sat on the sea. Burns tacked and stood after her, but it was too late; she beat us by the wind. Burns was very mad, for we could have been alongside if we had kept our course; but we did not like to run up until we found out what kind of craft she was. We learned afterwards that she was the Bordeaux, bound to Baltimore with silks, wines and brandies.

We cruised north as far as 55° 30′; one day discovered some large islands of ice; ran within half a mile; our boats found one that had a pond of

water on top and running down the sides in streams, so they fell to and filled twenty casks without difficulty, for it was smooth as a dock; on the leeward they were aground in thirty fathoms of water and as solid as the earth.

* * * * *

Our manuscript is here interrupted, but begins again with our hero in a rather tight fix.

Burns took the boatswain and his gang and ran up the lanyards of the rigging; in less than fifteen minutes you might see the difference in the Snap-Dragon's sailing; suppose that morning there was not less than $150,000 worth of property thrown overboard. As soon as the ship gave up the chase and bore away for the fleet, the Snap-Dragon did the same and captured the following named vessels out of it; we could have taken as many more if we had the hands to run them.

Here follows a list of brigs, ships and schooners, ten in all, including one which was made a cartel of; in this the prisoners to the number of ninety-eight were placed after signing a pledge of honor not to bear arms against the United States during the present war until regularly exchanged; all of which was "Done on board the Snap-Dragon at sea, in

longitude 53° N., and latitude 46°N., this twenty-fourth day of June, 1813." Here follows the signers' names.

The Snap-Dragon now bore away with one of her prizes for the United States. We had on board nearly $150,000 worth of valuable dry goods which we had captured. One morning at day-light made a strange sail; signalled our brize brig to keep her course; soon found the stranger was a cruiser lying to looking at us, trying to make out what we were. Burns immediately put on a press of sail and made a bold push at him, when he made off; as all we wanted was to drive him away from the prize we let him alone. We were nearly out of provisions and water, and were obliged to let the prize alone and get home as soon as possible; we arrived safe in Beaufort harbor after a cruise of two months, twenty-one days, in which we had captured two and a half millions of property from the enemy; ten days afterwards the prize got in.

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